CHECK LIST
CASE INFORMATION FORMAT

Civil_____

DISTRICT South West

Criminal ✓

S.NO.	PLAINTIFF/PETITIONER/COMPLAINANT/APPELLANT/DECREE HOLDER ETC PLEASE FILL UP ALLTHE RELEVANT FIELDS &(*) FIELDS ARE MANDATORY			
1	Name of the Plaintiff/complainant/etc	Ashu Pathak		
2	S/o W/o D/o	Dr. K.P. Pathak		
3	Address	104 Apsthorham Apt. Sector-19 Pocket-3 Dwarka		
4	Aadhar Card No.		Pin Code	
5	Gender	Male-----Female----- Other------	Nationality	
6	Date of Birth			Age_____
7	Mobile No.	9910518386	E mail Id	
9	Act/Section	173(4)		
10	Valuation of Suit		Court Fee Ascertained	
			Court Fee paid/Deposited	
11	Police Station			
12	F.I.R. NO. and Year			

S.NO.	DEFENDANT/ACCUSED/RESPONDENT JUDGEMENT DEBATER ETC PLEASE FILL UP ALLTHE RELEVANT FIELDS &(*) FIELDS ARE MANDATORY			
1	Name of the DEFENDANT/ACCUSED/etc	Aram Usmani		
2	S/o W/o D/o	Cd. Feroz Usmani		
3	Address	H.No. 12 Farm Bake Avenue Sarojini Nagar		
4	Aadhar Card No.		Pin Code	
5	Gender	Male-----Female--- Other--------	Nationality	
6	Date of Birth			Age_____
7	Mobile No.		E mail Id	

S NO.	ADVOCATE FOR PLAINTIFF/ COMPLAINANT /PETITIONER /DECREE HOLDER ETC	
1	NAME OF THE ADVOCATER ENROLMENT NO.	A. Pathak & Associates
2	OFFICE/ CHAMBER NO.	
3	MOBILE NO. E-mail:	

SUBMITTED BY:-.....

PLAINTIFF / PETITIONER / DEFENDANTY /ACCUSED /OTHER /ADVOCATE

IN THE COURT OF THE LEARNED CHIEF METROPOLITAN MAGISTRATE SOUTH WEST DISTRICT, DWARKA COURTS, NEW DELHI

CASE NO.: ___ OF 2025

IN THE MATTER OF:
Ashu Pathak

…COMPLAINANT

VERSUS

Anam Usmani & Ors.

…PROPOSED ACCUSED
PS- Dwarka Sector 21

S. No.	Particulars	Pg. No.
1.	Memo of party	**1-2**
2.	Application under 173(4) along with affidavit	
3.	**Annexure 1** A copy of the FIR 104/2025 along with complaint	**11-32**
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	True caller details of 9449559333	
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A. Pathak & Associates
Advocates for the Applicant
104 Akshardham Apartment
Sector 19 Pocket 3 Dwarka
Mobile No. +91-9910518386
Email-ashu030295@gmail.com

Place: New Delhi
Date: __ September, 2025

IN THE COURT OF THE LEARNED CHIEF METROPOLITAN MAGISTRATE SOUTH WEST DISTRICT, DWARKA COURTS, NEW DELHI

CASE NO.: ___ OF 2025

IN THE MATTER OF:
Ashu Pathak

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VERSUS

Anam Usmani & Ors.

…PROPOSED ACCUSED

Memo of Party

Mr. Ashu Pathak
R/o Flat No. 104,
Akshardham Apartment,
Sector 19, Pocket 3, Dwarka,
New Delhi – 110075,
Email: ashu030295@gmail.com

…Complainant

VERSUS

1. **Ms. Anam Usmani**
   H.No. 12, 16/34
   Fawn Brake Avenue,
   Sarojini Naidu Marg,
   Inside Begum Akhtar Compound,
   Near Handa Hospital, Hazaratganj,
   Lucknow, Uttar Pradesh – 226001
   Mobile - +91 9915411994

2. **Colonel Feroz Ahmed Usmani**
   H.No. 12, 16/34
   Fawn Brake Avenue,
   Sarojini Naidu Marg,
   Inside Begum Akhtar Compound,
   Near Handa Hospital, Hazaratganj,
   Lucknow, Uttar Pradesh – 226001
   Mobile - +91 7088823336

3. **Times of India**
   Times Center, FC-6, 1st Floor
   Film City, Sector 16 A,
   Noida - 201301
   Telephone: +91-120-6776999

4. **Hindustan Live Ground, 6th to 8th Lotus Tower** New Friends Colony New Delhi District: South East Delhi State: Delhi Pin Code: 110025

5. **Amar Ujala**
   C-21, Sector-59, Noida,
   Uttar Pradesh, 201301

… Proposed Accused

THROUGH

A. Pathak & Associates
Advocates for the Applicant
104 Akshardham Apartment
Sector 19 Pocket 3 Dwarka
Mobile No. +91-9910518386
Email-ashu030295@gmail.com

Place: New Delhi
Date: __ September, 2025

IN THE COURT OF THE LEARNED CHIEF METROPOLITAN MAGISTRATE SOUTH WEST DISTRICT, DWARKA COURTS, NEW DELHI

CASE NO.: ___ OF 2025

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VERSUS

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APPLICATION UNDER SECTION 173(4) OF THE BHARATIYA NAGARIK SURAKSHA SANHITA, 2023 TO REGISTER FIR UNDER SECTION SECTIONS 314, 318, 336 351, AND 354 OF BHARATIYA NYAYA SANHITA, 2023

1. That the Complainant, Mr. Ashu Pathak, is a law graduate and a practicing advocate enrolled with the Bar Council Delhi. As a citizen of India, he has consistently upheld the highest standards of integrity, maintaining an impeccable reputation in both society and the legal fraternity. However, the Complainant is compelled to approach this Hon'ble Court due to the malicious, fraudulent, and criminal acts of the Accused persons,
   - Ms. Anam Usmani (Accused No. 1)
   - Col. (Retd.) Firoz Hameed Usmani (Accused No. 2)

2. That the genesis of this dispute lies in a false complaint filed by Accused No. 1 and Accused No. 2, claiming that the Complainant owes them ₹6,500. This initial complaint,

lodged with mala fide intent, was a baseless attempt to exert pressure. In response, the Complainant filed an injunction case titled *Ashu Pathak Versus Anam Usmani & Anr.* before the appropriate court, seeking an apology and damages for defamatory statements made by the Accused. This civil action, a legitimate exercise of legal rights, provoked a retaliatory response from the Accused.

3. Subsequently, on 30.06.2025, Accused No. 2 filed a new complaint, which was converted into FIR No. 0104/2025 on 21.07.2025 at Police Station Hussainganj, Lucknow, falsely implicating the Complainant under Sections 316(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, alleging criminal breach of trust and criminal intimidation. The contents of this FIR are wholly fabricated, concocted with mala fide intent, and designed to tarnish the Complainant's reputation while unjustly involving his innocent family members in criminal litigation. A copy of the FIR No. 0104/2025 is annexed as **Annexure 1**.

4. That the allegations in the FIR are factually untenable, as the Complainant has had no interaction or oral communication whatsoever with Accused No. 1 since September 2023. This lack of contact renders the FIR's foundation inherently false. To substantiate this, a copy of the WhatsApp Meta Data is annexed as **Annexure 2**, clearly demonstrating the absence of any recent engagement. The fabrication of such claims not only violates the principles of natural justice but also exposes the Complainant to unwarranted legal scrutiny and public vilification.

5. That the Accused have deliberately sought to convert a civil dispute into a criminal matter, a tactic employed to exert undue pressure on the Complainant. Civil claims, by their nature, cannot be misrepresented as criminal offences to achieve ulterior motives, a practice condemned by courts as an abuse of process. The Complainant that the root of this conflict lies in the initial false claim of ₹6,500, which the Accused escalated maliciously. It is submitted that after careful scrutiny of bank records the Accused 1 is liable to pay Rs. 8,000/- to the petitioner from the above arrangement therefore she has committed fraud.

6. That the FIR is retaliatory in nature, stemming from the Complainant's legitimate exercise of civil remedies through the injunction case. The legal notice issued on 25.09.2024, seeking damages of ₹40,00,000/- for defamatory statements, provoked the Accused to file the false FIR as a countermeasure. Copies of the cease and desist letter and demand notice are annexed as **Annexure 3**, evidencing the Complainant's lawful intent.

7. That the allegation of demanding ₹1,00,00,000/- on 24.08.2024 is entirely fabricated and baseless, intended to mislead authorities and falsely impute serious offences to the Complainant. This claim lacks any corroborative evidence and appears designed to inflame the situation, further highlighting the Accused's mala fide intent.

8. That Accused No. 1, being a practicing lawyer, knowingly misrepresented the Complainant's lawful civil claims as

criminal acts. This conduct constitutes criminal cheating/fraud under Section 318 BNS and criminal intimidation/extortion under Section 351 BNS, reflecting a grave abuse of her professional position. The legal fraternity expects its members to uphold ethical standards, and such actions undermine public trust in the justice system.

9. That false allegations of borrowing sums of ₹200, ₹500, and ₹1,000 are mischievous and misleading. These amounts arose from shared incidental expenses during a brief professional association with the Accused, not as loans. Copies of bank statements are annexed as **Annexure 4** to clarify the transactional nature of these payments.

10. That on 22.08.2024, the Complainant attempted an amicable settlement through a written proposal, which was summarily rejected and mischaracterized as extortion by the Accused. This rejection, coupled with their subsequent actions, further evidences their mala fide intent to harass and defame the Complainant.

11. That in 2022–2023, anti-social elements associated with Accused No. 1 & 2 attempted to intimidate the Complainant in Uttarakhand and Delhi, demonstrating a broader conspiracy to harass him. A photo of the resulting injury is annexed as **Annexure 5**, underscoring the physical and emotional toll of these acts.

12. That the attribution of mobile number 9449559333 to the Complainant in the FIR is false. The Complainant has no connection with this number, and his actual Call Detail

Records and account details, annexed as **Annexures 6 & 7**, confirm this discrepancy. This falsification further strengthens the case of deliberate misrepresentation by the Accused.

13. That the Accused have deliberately and maliciously disseminated false and unsubstantiated allegations through media outlets **Accused 3**, **Accused 4** and **Accused 5** branding the Complainant as being involved in blackmail. Such unfounded imputations, being published without verification or due diligence, have caused irreparable damage to the Complainant's reputation, character, and standing in society. By publishing and propagating false news in the public domain, the Accuseds have not only committed the offence of defamation under law but have also violated the prohibitions against spreading false and misleading information intended to tarnish the image of an individual. Copies of the newspaper clippings are annexed as **Annexure 8**, illustrating the extent of the defamation campaign.

14. It is pertinent to mention that the Accused have deliberately and maliciously fabricated documents with the sole intention of tarnishing the reputation of the Complainant and his family. Such acts of fabrication are not only fraudulent in nature but also calculated to mislead third parties, public authorities, and society at large, thereby lowering the moral and social standing of the Complainant and his family members in the eyes of the public. The willful creation and circulation of false documents amounts to offences under the relevant provisions of law, including

but not limited to forgery, using forged documents as genuine, and defamation.

15. That the acts of the Accused attract provisions of Sections 314 (Criminal Breach of Trust), 318 (Cheating/Fraud), 351 (Criminal Intimidation), and 354 (Defamation) BNS, 2023. These are cognizable offences requiring mandatory police action under Section 173 BNSS. The Hon'ble Supreme Court has consistently emphasized the duty of police to act swiftly in such cases, as seen in various judgments reinforcing public safety and justice.

16. The involvement of Accused No. 1 & 2 extends to creating forged affidavits and manipulated digital records that were used to bolster the false FIR against the Complainant, thereby committing offences under Section 336 BNS (Forgery) and Section 318 BNS (Cheating/Fraud).

17. Their collective actions have caused the Complainant immense mental agony, including anxiety, depression, and sleep disturbances, as evidenced by medical certificates from reputed psychiatrists, leading to professional setbacks such as loss of clients, diminished court appearances, and strained relationships within the legal community.

18. The overall conspiracy among the Accused reveals a calculated plan to destroy the Complainant's life. Beginning with petty claims, it escalated to false FIRs, media smears, and life threats, all underpinned by fraud and forgery. The mental toll has been profound; the Complainant has

documented instances of harassing communications, leading to a diagnosis of post-traumatic stress disorder.

19. Societally, his family has been ostracized, with relatives receiving anonymous calls echoing the defamatory claims.

20. That despite approaching the police under Section 173 BNSS on 10.09.2025 with a detailed complaint to the Deputy Commissioner of Police (DCP), Dwarka District, and the SHO, Dwarka North Police Station, no FIR has been registered. This inaction has caused undue hardship, necessitating intervention by this Hon'ble Court. A copy of the said complaint dated 10.09.2025 is annexed as **Annexure 10**.

21. That the cause of action has squarely arisen within the territorial jurisdiction of Dwarka. It is most respectfully submitted that the Accused No. 1 had first publicly defamed the Complainant in September 2023 at Dwarka, where defamatory statements were uttered and widely circulated. Further, the defamatory reply of Accused No. 1 was also received by the Complainant at Dwarka, thereby giving rise to the continuation of the cause of action within this jurisdiction. Moreover, the newspaper article carrying the defamatory imputations against the Complainant is accessible, circulated, and read in Dwarka, which has resulted in grave harm to the reputation of the Complainant within the said territorial limits. Hence, the entire chain of events constituting the offence of defamation, including publication, communication, and circulation, have occurred at Dwarka, conferring jurisdiction upon this Hon'ble Court.

22. That the police inaction contravenes legal mandates and judicial precedents, including the landmark ruling in Lalita Kumari v. Govt. of U.P. (2014) 2 SCC 1, which obligates the registration of FIRs for cognizable offences. The Complainant has no other efficacious remedy except to seek directions from this Hon'ble Court under Section 173(4) BNSS.

PRAYER

The Complainant, therefore, most respectfully prays that this Hon'ble Court may be pleased to direct the police authorities to register a First Information Report (FIR) against the Accused persons and to pass such further or other orders as this Hon'ble Court may deem just, proper, and expedient in the interest of justice.

THROUGH

Ashu Pathak
Advocates for the Applicant
104 Akshardham Apartment
Sector 19 Pocket 3 Dwarka

Place: New Delhi
Date: __ September, 2025

IN THE COURT OF THE LEARNED CHIEF METROPOLITAN MAGISTRATE SOUTH WEST DISTRICT, DWARKA COURTS, NEW DELHI

CASE NO.: ___ OF 2025

IN THE MATTER OF:

Ashu Pathak

...COMPLAINANT

VERSUS

Anam Usmani & Ors.

...PROPOSED ACCUSED

AFFIDAVIT FOR APPLICATION

I, Ashu Pathak, aged 30 years, S/o Rajendra Prasad Pathak, residing at 104 Akshardham Apartment Sector 19 Pocket 3 Dwarka New Delhi 110075 do hereby solemnly affirms and state as under: -

1. That I am the deponent herein and am fully conversant with the facts of this affidavit, which I am making out of my personal knowledge and belief, acquired through my direct involvement in the matters herein stated.

2. That I have taken all the remedies under section 173 of the BNSS.

3. That the facts stated in the accompanying application are true and correct to the best of my knowledge and belief, and no material fact has been concealed therefrom. I undertake to provide any additional evidence or clarification as may

The Seal of the Oath Commissioner
Sl. No. 77/25
RITA SHARMA
App. by Hon'ble High Court
Period 01-04-2024 to
31-3-2026
Dwarka Courts, New Delhi

be required by this Hon'ble Court or the authorities to substantiate the veracity of my claims.

DEPONENT

VERIFICATION: 12 SEP 2025

Verified at _____ on this _____ day of September, 2025, that the contents of the above affidavit are true and correct to the best of my knowledge and belief, and nothing material has been concealed therefrom.

Identified self D/6066/2020

I identify the deponent who has signed in my presence.

DEPONENT

ATTESTED
Oath Commissioner Delhi

12 SEP 2025

N.C.R.B (एन.सी.आर.बी)

Annexure 1

FIRST INFORMATION REPORT
(Under Section 173 B.N.S.S)

प्रथम सूचना रिपोर्ट

(धारा 173 बी एन एस एस के तहत)

1. **District/Unit (जिला/इकाई):** लखनऊ मध्य (कमिश्नरेट लखनऊ) **P.S. (थाना):** हुसैनगंज **Year (वर्ष):** 2025

FIR No. (प्र.सू.रि. सं.): 0104 **Date and Time of FIR (प्र.सू.रि. की दिनांक और समय):** 24/07/2025 15:18 घंटे

2.

S.No. (क्र.सं.)	Acts (अधिनियम)	Sections (धारा(एँ))
1	भारतीय न्याय संहिता (बी एन एस), 2023	316(2)
2	भारतीय न्याय संहिता (बी एन एस), 2023	351(2)

3. (a) **Occurrence of offence (अपराध की घटना):**

1 **Day (दिन):** **Date from (दिनांक से):** **Date To (दिनांक तक):**

Time Period (समय अवधि): **Time From (समय से):** **Time To (समय तक):**

(b) **Information received at P.S. (थाना जहां सूचना प्राप्त हुई):** **Date (दिनांक):** 24/07/2025 **Time (समय):** 15:18 बजे

(c) **General Diary Reference (रोजनामचा संदर्भ):** **Entry No. (प्रविष्टि सं.):** 047 **Date and Time (दिनांक और समय):** 24/07/2025 15:18 बजे

4. **Type of Information (सूचना का प्रकार):** लिखित

5. **Place of Occurrence (घटनास्थल):**

1. **(a) Direction and distance from P.S. (थाना से दूरी और दिशा):** , कि. मी. **Beat No. (बीट सं.):**

(b) Address (पता):

(c) In case, outside the limit of this Police Station, then Name of P.S. (यदि थाना सीमा के बाहर है तो थाना का नाम):

District (State) (जिला (राज्य)):

6. **Complainant / Informant (शिकायतकर्ता / सूचनाकर्ता):**

(a) **Name (नाम):** कर्नल फिरोज हमीद उसमानी सेवानिवृत

(b) **Father's Name (पिताका नाम):** श्री हमीद असगर उसमानी

(c) **Date/Year of Birth (जन्म तिथि / वर्ष):** 1965 **(d) Nationality (राष्ट्रीयता):** भारत

(e) **UID No. (यूआईडी सं.):**

(f) **Passport No. (पासपोर्ट सं.):**

Date of Issue (जारी करने की दिनांक): **Place of Issue (जारी करने का स्थान):**

(g) **ID Details (Ration Card, Voter ID Card, Passport, UID No., Driving License, PAN) (पहचान विवरण (राशन कार्ड ,मतदाता कार्ड ,पासपोर्ट, यूआईडी सं., ड्राइविंग लाइसेंस, पैन कार्ड))**

S. No. (क्र.सं.)	ID Type (पहचान पत्र का प्रकार)	ID Number (पहचान संख्या)

(h) **Occupation (व्यवसाय):**

(i) **Address (पता):**

S.No. (क्र.सं.)	Address Type (पता का प्रकार)	Address (पता)
1	वर्तमान पता	12-16/34 , फाउन ब्रेक एवेन्यू बेगम अख्तर, कम्पाउण्ड सरोजनगी नायडू मार्ग, थाना हुसैनगंज लखनऊ , हुसैनगंज, लखनऊ मध्य (कमिश्नरेट लखनऊ), उत्तर प्रदेश, भारत
2	स्थायी पता	12-16/34 , फाउन ब्रेक एवेन्यू बेगम अख्तर, कम्पाउण्ड सरोजनगी नायडू मार्ग, थाना हुसैनगंज लखनऊ , हुसैनगंज, लखनऊ मध्य (कमिश्नरेट लखनऊ), उत्तर प्रदेश, भारत

(j) **Phone number (दूरभाष सं.):** **Mobile (मोबाइल सं.):** 91-70888XXXXX

7. Details of known / suspected / unknown accused with full particulars (ज्ञात / संदिग्ध / अज्ञात अभियुक्त का पूरे विवरण सहित वर्णन):

Accused More Than (अज्ञात आरोपी एक से अधिक हों तो संख्या): 0

S. No. (क्र.सं.)	Name (नाम)	Alias (उपनाम)	Relative's Name (रिश्तेदार का नाम)	Present Address(वर्तमान पता)
1	आशू पाठक	Error: Subreport could not be shown.	पिता का नाम : आर0 बी0 पाठक	1. 1041,अक्षरधाम अपार्टमेन्ट,सेक्टर-एम पाकेट-3 द्वारिका,नई दिल्लीनई दिल्ली,दिल्ली,भारत
2	आर0बी0 पाठक	Error: Subreport could not be shown.		1. 1041,अक्षरधाम अपार्टमेन्ट,सेक्टर-एम पाकेट-3 द्वारिका,नई दिल्लीनई दिल्ली,दिल्ली,भारत
3	मंजू पाठक	Error: Subreport could not be shown.	पति का नाम : आर0 बी0 पाठक	1. 1041,अक्षरधाम अपार्टमेन्ट,सेक्टर-एम पाकेट-3 द्वारिका,नई दिल्लीनई दिल्ली,दिल्ली,भारत

8. Reasons for delay in reporting by the complainant / informant (शिकायतकर्ता / सूचनाकर्ता द्वारा रिपोर्ट देरी से दर्ज कराने के कारण):

9. Particulars of properties of interest (संबन्धित सम्पत्ति का विवरण):

S. No. (क्र.सं.)	Propertty Category (सम्पत्ति श्रेणी)	Property Type (सम्पत्ति के प्रकार)	Description (विवरण)	Value(In Rs/-) (मूल्य (रु में))

10. Total value of property (In Rs/-) (सम्पत्ति का कुल मूल्य(रु में)):

11. Inquest Report / U.D. case No., if any (मृत्यु समीक्षा रिपोर्ट / यू.डी.प्रकरण सं., यदि कोई हो):

S. No. (क्र.सं.)	UIDB Number (यू.डी.प्रकरण सं.)

12. First Information contents (प्रथम सूचना तथ्य):

नकल तहरीर हिन्दी टाइपशुदा ..... माननीय न्यायालय श्रीमान् अपर मुख्य न्यायिक मजिस्ट्रेट प्रथम लखनऊ कर्नल फिरोज हमीद उसमानी (सेवानिवृत्त) आयु लगभग 61 वर्ष पुत्र श्री हमीद असगर उसमानी निवासी म0नं0 12-16/34, फाउन ब्रेक एवेन्यू(बेगम अख्तर कम्पाउण्ड) सरोजनी नायडू मार्ग, थाना हुसैनगंज, लखनऊ-226001 ..... प्रार्थी/वादी बनाम 1. आशू पाठक पुत्र आर0बी0 पाठक 2. आर0 बी0 पाठक पुत्र अज्ञात 3. मंजू पाठक पत्नी आर0बी0 पाठक निवासीगण निवासी 1041, अक्षरधाम अपार्टमेन्ट सेक्टर-एम. पाकेट-3, द्वारिका नई दिल्ली..... विपक्षीगण वाद सं0 -/2025 अं0धारा- 308. 319. 318. 351(2)(3), 356(1). 352 बीए0न0एस0 थाना हुसैनगंज लखनऊ प्रार्थना पत्र अन्तर्गत धारा 173 (4) बीएनएसएस वास्ते रिपोर्ट दर्ज करने हेतु महोदय, सविनय निम्न निवेदन है कि 1. यह कि प्रार्थी/वादी कर्नल फिरोज़ हमीद उसमानी (सेवानिवृत्त) पुत्र श्री हमीद असगर उसमानी निवासी मनं 12-16/34 फाउन ब्रेक एवेन्यू (बेगम अख्तर कम्पाउण्ड) सरोजनी नायडू मार्ग, थाना-हुसैनगंज, लखनऊ-226001 का स्थायी निवासी है। 2. यह कि प्रार्थी/वादी की पुत्री अनम उस्मानी, उत्तराखण्ड उच्च न्यायालय में क्लर्क की ट्रेनिंग कर रही थी। ट्रेनिंग के दौरान एक अन्य व्यक्ति आशू पाठक पुत्र आरबी पाठक निवासी 1041 अक्षरधाम अपार्टमेन्ट सेक्टर-एम, पाकेट-3, द्वारिका नई दिल्ली साथ में ट्रेनिंग कर रहा था, प्रार्थी की पुत्री को परेशान करता था, परन्तु प्रार्थी की पुत्री ने डर के मारे यह बात प्रार्थी/वादी को नहीं बतायी तत्पश्चात प्रार्थी की पुत्री बैंगलूरू में नौकरी करने चली गयी। 3. यह कि आशू पाठक अक्सर 200/-, 500/- व 1000/- रूपये उधार लेता था। उसके बाद वापस भी नही करता था। आशू पाठक प्रार्थी/वादी की पुत्री के बैंगलूरू जाने के बाद भी परेशान करता व उल्टे सीधे मैसेज भेजता व एक करोड़ रूपये की मांग करता। 4. यह कि प्रार्थी/वादी की पुत्री के साथ घटित घटना दिनांक-24-08-2024 को एक करोड़ रूपया की मांग की उसके बाद पुनः दिनांक 25 सितम्बर 2024 को 40 लाख रूपया की मांग की, उसके साक्ष्य प्रार्थी/वादी

के पास मौजूद है, जून 2025 में मोनं 83680XXXXX, 94495XXXXX से रकम मांगी, प्रार्थी/वादी की पुत्री व प्रार्थी/वादी को लगातार आशु पाठक धमका रहा है कि यदि हमको पैसा नही दिया तो तुमको झूठे मुकदमों में फंसा देगें। झूठे-झूठे इल्जाम लगा रहा है और परेशान कर रहा है। प्रार्थी/वादी की पुत्री व प्रार्थी/वादी व उसका परिवार को दिनांक-24.08.2024 से लगातार आज तक परेशान किया जा रहा है व जान से मारने की धमकियाँ भी दे रहा है, जिससे प्रार्थी/वादी व उसकी पुत्री तथा परिवार उक्त घटना से मानसिक रूप से बहुत ज्यादा परेशान है। 5. यह कि प्रार्थी/वादी की पुत्री के साथ रचे इस षडयंत्र में आशू पाठक के पिता आरपी पाठक और उनकी पत्नी मंजू पाठक भी शामिल है उक्त लोगो द्वारा प्रार्थी/वादी व उसकी पुत्री तथा परिवार को षड्यंत्र के तहत ब्लेकमेल कर पैसा वसूलना चाहते है। 6. यह कि प्रार्थी/वादी द्वारा थाना हुसैनगंज, जनपद लखनऊ में दिनांक 30-06-2025 को प्रार्थना-पत्र दिया गया था, परन्तु थाना हुसैनगंज द्वारा प्रार्थना पत्र पर कोई खास ध्यान नहीं दिया, तत्पश्चात प्रार्थी/वादी द्वारा उपरोक्त घटना की सूचना उसी दिन जरिये मुख्यमंत्री पोर्टल पर की गयी जिसकी शिकायत सं 40015725062048 है, जिस पर भी प्रार्थी/वादी की रिपोर्ट नहीं लिखी गई। दिये गये प्रार्थना-पत्र आईजीआरएस व डाक रसीद प्रार्थना-पत्र के साथ आपके अवलोकनार्थ संलग्न हैं। 7. यह कि प्रार्थी/वादी द्वारा उपरोक्त घटना की लिखित सूचना थाना प्रभारी थाना हुसैनगंज लखनऊ को दी, प्रार्थी/वादी द्वारा लिखित शिकायती प्रार्थना पत्र श्रीमान् पुलिस आयुक्त लखनऊ व अन्य उच्चाधिकारी को जरिये डाक दिनांक 30-06-2025 को प्रेषित किया, जिस पर आज तक कोई कार्यवाही नहीं हुयी। पुलिस द्वारा केवल प्रारंभिक जांच के बाद टाल-मटोल करने लगी तथा प्रार्थी/वादी की रिपोर्ट नही लिखी तथा थाना प्रभारी हुसैनगंज द्वारा बी0एन0एस0एस0 में दिये गये प्राविधानों का स्पष्ट उल्लघंन है। 8. यह कि धारा-173-4 बीएनएसएस के अन्तर्गत दिये गये प्राविधान हैं :- कोई व्यक्ति, जी किसी पुलिस थाने के भारसाधक अधिकारी के उपधारा (1) में निर्दिष्ट सूचना को अभिलिखित करने से इंकार करने से व्यथित है ऐसी सूचना का सार लिखित रूप में और डाक द्वारा संबद्ध पुलिस अधीक्षक को भेज सकता है, यदि उसका यह समाधान हो जाता है कि ऐसी सूचना से किसी संज्ञेय अपराध का किया जाना प्रकट होता है तो, या तो स्वयं मामले का अन्वेषण करेगा या अपने अधीनस्थ किसी पुलिस अधिकारी द्वारा इस संहिता द्वारा उपबंधित रीति में अन्वेषण किए जाने का निर्देश देगा और उस अधिकारी को उस अपराध के संबंध में पुलिस थाने के भारसाधक अधिकारी की सभी शक्तियां होंगी, जिसके न हो सकने

पर, ऐसा व्यथित व्यक्ति, मजिस्ट्रेट को आवेदन कर सकेगा। 9. यह कि प्रार्थी/वादी द्वारा पूर्व में उक्त घटना के सम्बन्ध में कोई अन्य प्रार्थना-पत्र मा न्यायालय के समक्ष अंधारा-173 (4) बीएन एसएस के तहत दाखिल नहीं किया गया है. प्रार्थी/वादी सेवानिवृत्त है, तथा अपने आधार कार्ड की फोटोस्टेट प्रति तथा फोटो प्रार्थना-पत्र पर चस्पा की। 10. यह कि प्रार्थी/वादी तथा उसकी पुत्री के साथ घटित घटना का क्षेत्राधिकार थाना हुसैनगंज, लखनऊ के अन्तर्गत है जिसके सुने जाने, निस्तारण करने का क्षेत्राधिकार माननीय न्यायालय श्रीमान् को प्राप्त है। अतः श्रीमान् जी से प्रार्थना है कि उपरोक्त तथ्यों एवं परिस्थितियों को दृष्टिगत रखते हुये प्रार्थी/वादी के रिपोर्ट थाना-हुसैनगंज, लखनऊ में लिखे जाने के लिये थाना प्रभारी थाना-हुसैनगंज लखनऊ को आदेशित/निर्देशित किये जाने की प्रार्थना है। लखनऊ दिनांक 15/07/2025 नोटः- एफआईआर की नकल तहरीर नकल चिक व कायमी का0 742 अर्पित कुमार के द्वारा अलावा टंकण त्रुटियो को छोडकर अक्षरशः किता की गयी।

13. Action taken: Since the above information reveals commission of offence(s) u/s as mentioned at Item No. 2.

(की गयी कार्यवाही : चूंकि उपरोक्त जानकारी से पता चलता है कि अपराध करने का तरीका मद सं. 2 में उल्लेख धारा के तहत है.):

(1) **Registered the case and took up the investigation (प्रकरण दर्ज किया गया और जांच के लिए लिया गया): / or (या)**

(2) **Directed (Name of I.O.) (जांच अधिकारी का नाम):** SAGAR KHURANA **Rank (पद):** उपनिरीक्षक/ अवर निरीक्षक

No. (सं.): 194071099 **to take up the Investigation (को जांच अपने पास में लेने के लिए निर्देश दिया गया) or (या)**

(3) **Refused investigation due to (जांच के लिए): or (के कारण इंकार किया या)**

(4) **Transferred to P.S. (थाना): District (ज़िला):**

on point of jurisdiction (को क्षेत्राधिकार के कारण हस्तांतरित).

F.I.R. read over to the complainant / informant, admitted to be correctly recorded and a copy given to the complainant /informant, free of cost.
(शिकायतकर्ता / सूचनाकर्ता को प्राथमिकी पढ़ कर सुनाई गयी, सही दर्ज हुई माना और एक कॉपी निशुल्क शिकायतकर्ता को दी गयी)

R.O.A.C. (आर.ओ.ए.सी.)

Signature of Officer in charge, Police Station (थाना प्रभारी के हस्ताक्षर)

Name (नाम): SHIV MANGAL SINGH

Rank (पद): SI (Sub-Inspector)

No. (सं.): 172460347

14. Signature / Thumb impression of the complainant / informant (शिकायतकर्ता / सूचनाकर्ता के हस्ताक्षर /अंगूठे का निशान)

15. Date and time of dispatch to the court (अदालत में प्रेषण की दिनांक और समय):

Attachment to item 7 of First Information Report (प्रथम सूचना रिपोर्ट के मद 7 संलग्नक):

Physical features, deformities and other details of the suspect/accused: (If known / seen)

(संदिग्ध / अभियुक्त की शारीरिक विशेषताएँ, विकृतियाँ और अन्य विवरण: (यदि ज्ञात / देखा गया))

S. No. (क्र.सं.)	Sex (लिंग)	Date / Year Of Birth (जन्म तिथि / वर्ष)	Build (बनावट)	Height (cms) (कद (से.मी.))	Complexion (रंग)	Identification Mark(s) (पहचान चिन्ह)
1	2	3	4	5	6	7
1	पुरुष	1995		-		**चेचक:** नहीं
2	पुरुष	1975		-		**चेचक:** नहीं
3	महिला	1980		-		**चेचक:** नहीं

Deformities / Peculiarities (विकृतियाँ / विशिष्टताएँ)	Teeth (दाँत)	Hair (बाल)	Eye (आँखें)	Habit(s) (आदतें)	Dress Habit (s) (पहनावा)
8	9	10	11	12	13

Language/ Dialect (भाषा/बोली)	Place of (का स्थान)					Others (अन्य)
	Burn Mark (जले हुए का निशान)	Leucoderma (लुकोदेर्मा(सफ़ेद धब्बे))	Mole (मस्सा)	Scar (घाव)	Tattoo (गूदे हुए का)	
14	15	16	17	18	19	20

These fields will be entered only if complainant/informant gives any one or more particulars about the suspect/accused.

(यह क्षेत्र तभी दर्ज किए जाएंगे यदि शिकायतकर्ता / सूचनाकर्ता संदिग्ध / अभियुक्त के बारे में कोई एक या उससे अधिक जानकारी देता है)

मा० न्यायालय श्रीमान अपर मुख्य न्यायिक मजिस्ट्रेट लखनऊ

पत्रित फिरोज उस्मानी (विवाहित) — प्रार्थी/वादी

बनाम

आशु पाठक आदि — विपक्षीगण

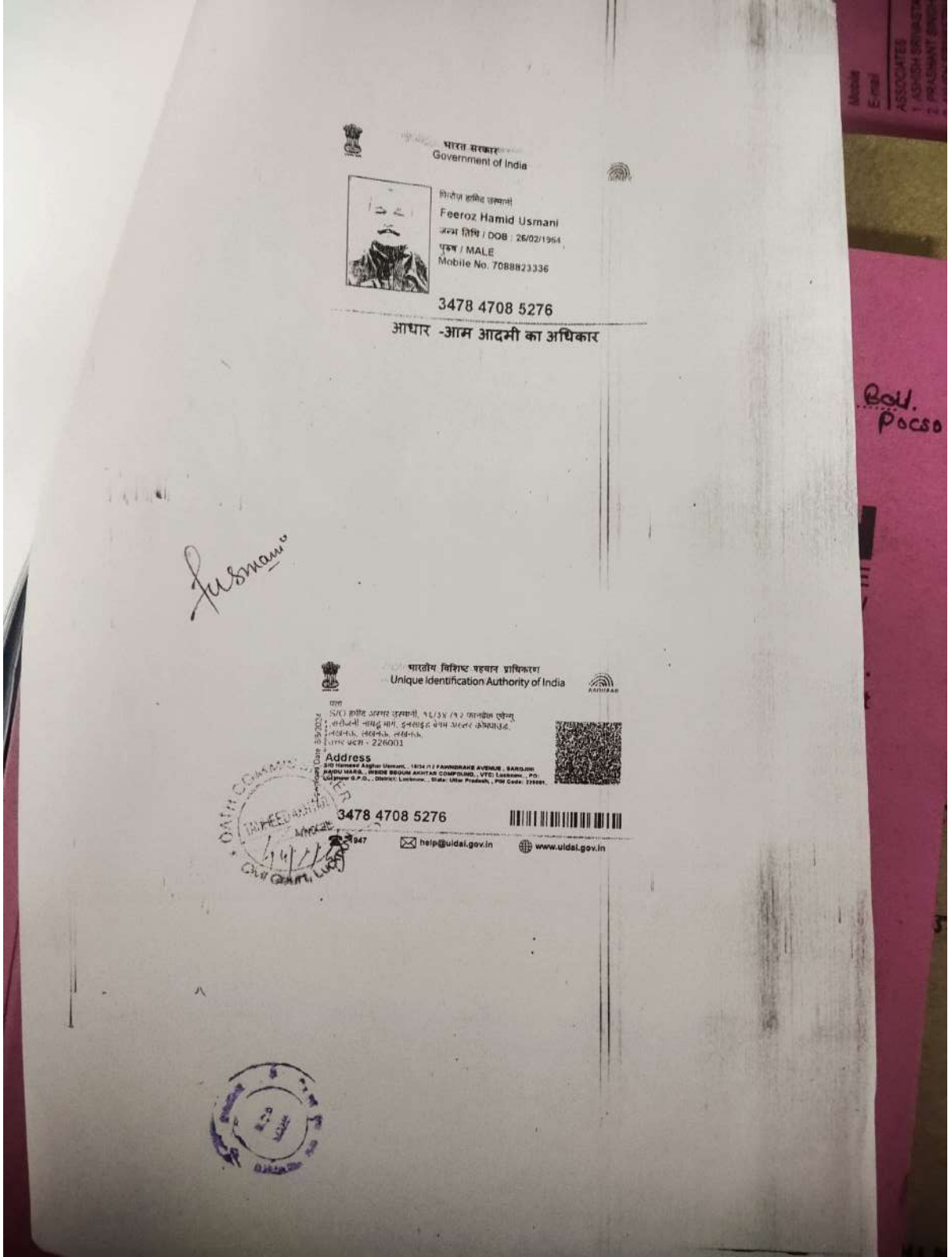
EU681804877IN IVR:69856818048877
SP LUCKNOW GPO <226001>
Counter No:6,30/06/2025,19:59
To:NARENDRA MODI JI ,,
PIN:110001, New Delhi GPO
From:COL.FIROJ H.USMANI ,LKO
Wt:20gms
Amt:41.30,Tax:6.30,Amt.Paid:41.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 18002666868><Wear mask -Stay safe>

EU681804885IN IVR:69856818048885
SP LUCKNOW GPO <226001>
Counter No:6,30/06/2025,19:59
To:POLICE AYUKT ,,
PIN:226006, Mahanagar SO
From:COL.FIROJ H.USMANI ,LKO
Wt:20gms
Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 18002666868><Wear mask -Stay safe>

EU681804894IN IVR:69856818048894
SP LUCKNOW GPO <226001>
Counter No:6,30/06/2025,19:59
To:SHO ,HUSAINGANJ
PIN:226001, Lucknow GPO
From:COL.FIROJ H.USMANI ,LKO
Wt:20gms
Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)
<Track on www.indiapost.gov.in>

लिख+3
दि० 15/7/25

प्रार्थी/वादी


भारत सरकार
Government of India
फीरोज हामिद उस्मानी
Feeroz Hamid Usmani
जन्म तिथि / DOB : 26/02/1954
पुरुष / MALE
Mobile No. 7088823336
3478 4708 5276
आधार -आम आदमी का अधिकार
Bail.
Pocso
भारतीय विशिष्ट पहचान प्राधिकरण
Unique Identification Authority of India
Address
help@uidai.gov.in
www.uidai.gov.in

मा० न्यायालय श्रीमान अपर मुख्य न्यायिक मजिस्ट्रेट प्रथम
लखनऊ

कर्नल फिरोज हमीद, स्वामी (सेनानिवृत्त) ——— प्रार्थी/वादी
बनाम
आशु पाठक आदि ——— विपक्षीगण/

<Dial 1800266686#>Wear mask -Stay safe>

EU681804846IN IVR:698568180484G
SP LUCKNOW GPO <226001>
Counter No:6,30/06/2025,19:59
To:ADHYAKSH ,MAHADHIKAR AYOG
PIN:226001, Lucknow GPO
From:COL.FIROJ H.USMANI ,LKO
Wt:20gms
Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)
<Track on www.indiapost.gov.in>
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EU681804850IN IVR:698568180485G
SP LUCKNOW GPO <226001>
Counter No:6,30/06/2025,19:59
To:RAJYAPAL ,,
PIN:226027, UPG Case SO
From:COL.FIROJ H.USMANI ,LKO
Wt:20gms
Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)
<Track on www.indiapost.gov.in>
<Dial 1800266686#>Wear mask -Stay safe>

EU681804863IN IVR:698568180486J
SP LUCKNOW GPO <226001>
Counter No:6,30/06/2025,19:59
To:CM,,
PIN:226001, Lucknow GPO
From:COL.FIROJ H.USMANI ,LKO
Wt:20gms
Amt:17.70,Tax:2.70,Amt.Paid:18.00(Cash)
<Track on www.indiapost.gov.in>

लखनऊ
दि० 15/7/2025

प्रार्थी/वादी

फंसा दूंगा। झूठे झूठे इलजाम लगा रहा है प्रार्थी की पुत्री मानसिक रूप से बहुत ज्यादा परेशान है, प्रार्थी की पुत्री के साथ रचे इस षडयंत्र में आशु पाठक के पिता आर0पी0 पाठक और उनकी पत्नी मंजू पाठक भी शामिल है प्रार्थी फौजी कर्नल है उक्त लोगो द्वारा प्रार्थी की पुत्री को षडयंत्र के तहत ब्लेकमेल कर पैसा वसूलना चाहते है। आशु पाठक सन् 2021 से लगातार प्रार्थी की पुत्री को परेशान कर रहा है उसकी और उसके परिवार की नियत ठीक नही है यदि समय रहते कार्यवाही नही की गयी प्रार्थी व उसकी पुत्री के साथ कोई अप्रिय घटना घटित हो सकती है। उक्त घटना से प्रार्थी की पुत्री काफी डरी व सहमी हुयी है। आशु पाठक व उसका परिवार प्रार्थी व उसकी पुत्री का जीवन बर्बाद करने पर तुला हुआ है। यदि समय रहते प्रार्थी की रिपोर्ट लिखकर शीघ्र कार्यवाही नही की गयी तो आशु पाठक व उसका परिवार कोई भी बडा हादसा कर सकता है।

अतः श्रीमान् जी से सादर निवेदन है कि प्रार्थ की रिपोर्ट लिखकर शीघ्रातिशीघ्र कार्यवाही करने की कृपा करें।

लखनऊ
दिनांक : 30 Jun 2025

प्रार्थी
Firoz
(कर्नल फिरोज हमीद उसमानी)
मो0नं0 7088823336

प्रतिलिपि प्रेषित :-

1- मा0 मुख्यमंत्री जी, उत्तर प्रदेश सरकार, लखनऊ।
2- माननीय राज्यपाल महोदय लखनऊ।
3- मा0 अध्यक्षा राज्य महिला आयोग, लखनऊ।
4- मा0 अध्यक्ष मानवाधिकार आयोग, लखनऊ।
5- श्रीमान् पुलिस आयुक्त महोदय, लखनऊ।
श्रीमान् पुलिस उपायुक्त महोदय, लखनऊ।

सेवा में,

श्रीमान् थानाध्यक्ष महोदय,
थाना हुसैनगंज,
लखनऊ।

महोदय,

सविनय निवेदन है कि प्रार्थी कर्नल फिरोज हमीद उसमानी (सेवानिवृत्त) पुत्र श्री हमीद अस्गर अस्मानी निवासी म0नं0 12-16/34, फाउन ब्रेक एवेन्यू (बेगम अख्तर कम्पाउण्ड) सरोजनी नायडू मार्ग, लखनऊ-226001 का है। प्रार्थी की पुत्री अनम उस्मानी उत्तराखण्ड उच्च न्यायालय में (जुलाई 2021 से जुलाई 2022 तक) क्लर्क की ट्रेनिंग कर रही थीं। ट्रेनिंग के दौरान एक न्याय व्यक्ति आशू पाठक पुत्र आर0पी0 पाठक निवासी 1041, अक्षरधाम अपार्टमेन्ट सेक्टर-एम, पाकेट-3, द्वारिका नई दिल्ली द्वारा प्रार्थी की पुत्री को तंग किये जाने लगा, परन्तु प्रार्थी की पुत्री द्वारा इस बात पर ध्यान नही दिया गया। प्रार्थी की पुत्री उसके बाद बैंगलूरू में जॉब करने चली गयीं। उत्तराखण्ड उच्च न्यायालय में आशू पाठक अक्सर 200/-, 500/- व 1000/- रूप्ये उधार लेता था। उसके बाद वापस भी नही करता था। आशू पाठक प्रार्थी की पुत्री के बैंगलूरू जाने के बाद भी परेशान करता तथा प्रार्थी की पुत्री को उल्टे सीधे मैसेज भेजता तथा एक करोड रूपये की मांग करता।

दिनांक 24-08-2024 को की उसके बाद पुनः 40 लाख की मांग दिनांक 25 सितम्बर 2024 को की, दोनो बार लिखित रूप से जो मांग की उसके साक्ष्य प्रार्थी के पास मौजूद है, जून 2025 में मो0नं0 9360039384, 9449559333 से मैसेज द्वारा रकम मांगी गयी, प्रार्थी की पुत्री को लगातार आशु पाठक धमका रहा है कि यदि हमको पैसा नही दिया तो तुमको झूठे मुकदमों में

माननीय न्यायालय श्रीमान् अपर मुख्य न्यायिक मजिस्ट्रेट
प्रथम लखनऊ

कर्नल फिरोज हमीद उसमानी (सेवानिवृत्त) .....प्रार्थी/वादी
बनाम
आशू पाठक आदि .....विपक्षीगण

वाद सं0- /2025
अं0धारा- 308, 319, 318, 351(2)(3), 356(1), 352 बी0एन0एस0
थाना हुसैनगंज, लखनऊ

प्रार्थना पत्र के समर्थन में शपथ-पत्र

मैं शपथी कर्नल फिरोज हमीद उसमानी (सेवानिवृत्त) आयु लगभग 61 वर्ष पुत्र श्री हमीद असगर उसमानी निवासी म०नं० 12-16/34, फाउन ब्रेक एवेन्यू (बेगम अख्तर कम्पाउण्ड) सरोजनी नायडू मार्ग, थाना-हुसैनगंज, लखनऊ-226001 का हूँ तथा सशपथ निम्नलिखित बयान करता हूँ :-

1. यह कि शपथी उपरोक्त वाद/प्रार्थना-पत्र में प्रार्थी/वादी है, इसलिये वाद के समस्त तथ्यों से भलीभांति अवगत है।
2. यह कि ~~प्रस्तुत प्रार्थना-पत्र में वर्णित धारा-1 लगायत्~~ 10 मेरे निजी ज्ञान से सत्य व सही है कोई भी तथ्य छिपाया नहीं गया है।

लखनऊ
दिनांक- 14/07/2025

शपथी

सत्यापन

मैं शपथी उपरोक्त सत्यापित करता हूँ कि शपथ-पत्र की धारा-1 लगायत् 2 मेरे निजी ज्ञान से सत्य व सही है।
आज दिनांक-14 /07/2025 को अपने हस्ताक्षर बनाकर इस शपथ-पत्र को सत्यापित किया।

लखनऊ
दिनांक- 14 /07/2025

शपथी

और डाक द्वारा संबद्ध पुलिस अधीक्षक को भेज सकता है जो, यदि उसका यह समाधान हो जाता है कि ऐसी सूचना से किसी संज्ञेय अपराध का किया जाना प्रकट होता है तो, या तो स्वयं मामले का अन्वेषण करेगा या अपने अधीनस्थ किसी पुलिस अधिकारी द्वारा इस संहिता द्वारा उपबंधित रीति में अन्वेषण किए जाने का निदेश देगा और उस अधिकारी को उस अपराध के संबंध में पुलिस थाने के भारसाधक अधिकारी की सभी शक्तियां होंगी, जिसके न हो सकने पर, ऐसा व्यथित व्यक्ति, मजिस्ट्रेट को आवेदन कर सकेगा।

9. यह कि प्रार्थी/वादी द्वारा पूर्व में उक्त घटना के सम्बन्ध में कोई अन्य प्रार्थना-पत्र मा0 न्यायालय के समक्ष अं0धारा-173(4)बी0एन0 एस0एस0 के तहत दाखिल नहीं किया गया है, प्रार्थी/वादी सेवानिवृत्त है, तथा अपने आधार कार्ड की फोटोस्टेट प्रति तथा फोटो प्रार्थना-पत्र पर चस्पा की।

10. यह कि प्रार्थी/वादी तथा उसकी पुत्री के साथ घटित घटना का क्षेत्राधिकार थाना हुसैनगंज, लखनऊ के अन्तर्गत है जिसके सुने जाने, निस्तारण करने का क्षेत्राधिकार माननीय न्यायालय श्रीमान् को प्राप्त है।

अतः श्रीमान् जी से प्रार्थना है कि उपरोक्त तथ्यों एवं परिस्थितियों को दृष्टिगत रखते हुये प्रार्थी/वादी की रिपोर्ट थाना-हुसैनगंज, लखनऊ में लिखे जाने के लिये थाना प्रभारी ~~थाना-हुसैनगंज लखनऊ को आदेशित/निर्देशित~~ किये जाने की प्रार्थना है।

लखनऊ

दिनांक 15/07/2025

प्रार्थी/वादी

प्रमाणित प्रतिलिपि

प्रधान प्रतिलिपिक
जिला एवं सत्र न्यायालय
लखनऊ

भी दे रहा है, जिससे प्रार्थी/वादी व उसकी पुत्री तथा परिवार उक्त घटना से मानसिक रूप से बहुत ज्यादा परेशान है।

5. यह कि प्रार्थी/वादी की पुत्री के साथ रचे इस षडयंत्र में आंशु पाठक के पिता आर०पी० पाठक और उनकी पत्नी मंजू पाठक भी शामिल है उक्त लोगो द्वारा प्रार्थी/वादी व उसकी पुत्री तथा परिवार को षड्यंत्र के तहत ब्लेकमेल कर पैसा वसूलना चाहते है।

6. यह कि प्रार्थी/वादी द्वारा थाना हुसैनगंज, जनपद लखनऊ में दिनांक 30-06-2025 को प्रार्थना-पत्र दिया गया था, परन्तु थाना हुसैनगंज द्वारा प्रार्थना पत्र पर कोई खास ध्यान नहीं दिया, तत्पश्चात प्रार्थी/वादी द्वारा उपरोक्त घटना की सूचना उसी दिन जरिये मुख्यमंत्री पोर्टल पर की गयी जिसकी शिकायत सं० 40015725062048 है, जिस पर भी प्रार्थी/वादी की रिपोर्ट नहीं लिखी गई। दिये गये प्रार्थना-पत्र आई0जी0आर0एस0 व डाक रसीद प्रार्थना-पत्र के साथ आपके अवलोकनार्थ संलग्न हैं।

7. यह कि प्रार्थी/वादी द्वारा उपरोक्त घटना की लिखित सूचना थाना प्रभारी थाना हुसैनगंज लखनऊ को दी, प्रार्थी/वादी द्वारा लिखित शिकायती प्रार्थना पत्र श्रीमान् पुलिस आयुक्त लखनऊ व अन्य उच्चाधिकारी को जरिये डाक दिनांक 30-06-2025 को प्रेषित किया, जिस पर आज तक कोई कार्यवाही नहीं हुयी। पुलिस द्वारा केवल प्रारंभिक जांच के बाद टाल-मटोल करने लगी तथा प्रार्थी/वादी की रिपोर्ट नहीं लिखी तथा थाना प्रभारी हुसैनगंज, द्वारा बी0एन0एस0एस0 में दिये गये प्राविधानों का स्पष्ट उल्लंघन है।

8. यह कि धारा-173-4 बी0एन0एस0एस0 के अन्तर्गत दिये गये प्राविधान हैं :- *कोई व्यक्ति, जो किसी पुलिस थाने के भारसाधक अधिकारी के उपधारा (1) में निर्दिष्ट सूचना को अभिलेखित करने से इंकार करने से व्यथित है ऐसी सूचना का सार लिखित रूप में*

1. यह कि प्रार्थी/वादी कर्नल फिरोज हमीद उसमानी (सेवानिवृत्त) पुत्र श्री हमीद असगर उसमानी निवासी म०नं० 12-16/34, फाउन ब्रेक एवेन्यू (बेगम अख्तर कम्पाउण्ड) सरोजनी नायडू मार्ग, थाना-हुसैनगंज, लखनऊ-226001 का स्थायी निवासी है।

2. यह कि प्रार्थी/वादी की पुत्री अनम उस्मानी, उत्तराखण्ड उच्च न्यायालय में क्लर्क की ट्रेनिंग कर रही थी। ट्रेनिंग के दौरान एक अन्य व्यक्ति आशू पाठक पुत्र आर०बी० पाठक निवासी 1041, अक्षरधाम अपार्टमेन्ट सेक्टर-एम, पाकेट-3, द्वारिका नई दिल्ली साथ में ट्रेनिंग कर रहा था, प्रार्थी की पुत्री को परेशान करता था, परन्तु प्रार्थी की पुत्री ने डर के मारे यह बात प्रार्थी/वादी को नही बतायी तत्पश्चात प्रार्थी की पुत्री बैंगलूरू में नौकरी करने चली गयी।

3. यह कि आशू पाठक अक्सर 200/-, 500/- व 1000/- रूपये उधार लेता था। उसके बाद वापस भी नही करता था। आशू पाठक प्रार्थी/वादी की पुत्री के बैंगलूरू जाने के बाद भी परेशान करता व उल्टे सीधे मैसेज भेजता व एक करोड़ रूपये की मांग करता।

4. यह कि प्रार्थी/वादी की पुत्री के साथ घटित घटना दिनांक-24-08-2024 को एक करोड़ रूपया की मांग की उसके बाद पुनः दिनांक 25 सितम्बर 2024 को 40 लाख रूपया की मांग की, उसके साक्ष्य प्रार्थी/वादी के पास मौजूद है, जून 2025 में मो0नं0 8368039384, 9449559333 से रकम मांगी, प्रार्थी/वादी की पुत्री व प्रार्थी/वादी को लगातार आशु पाठक धमका रहा है कि यदि हमको पैसा नही दिया तो तुमको झूठे मुकदमों में फंसा देगें। झूठे-झूठे इल्जाम लगा रहा है और परेशान कर रहा है। प्रार्थी/वादी की पुत्री व प्रार्थी/वादी व उसका परिवार को दिनांक-24.08.2024 से लगातार आज तक परेशान किया जा रहा है व जान से मारने की धमकियाँ

माननीय न्यायालय श्रीमान् अपर मुख्य न्यायिक मजिस्ट्रेट
प्रथम लखनऊ

कर्नल फिरोज हमीद उसमानी (सेवानिवृत्त) आयु लगभग 61 वर्ष पुत्र श्री हमीद असगर उसमानी निवासी म०नं० 12-16/34, फाउन ब्रेक एवेन्यू (बेगम अख्तर कम्पाउण्ड)' सरोजनी नायडू मार्ग, थाना- हुसैनगंज, लखनऊ-226001

.....प्रार्थी/वादी

बनाम

1. आशू पाठक पुत्र आर०बी० पाठक
2. आर०बी० पाठक पुत्र अज्ञात
3. मंजू पाठक पत्नी आर०बी० पाठक
   निवासीगण निवासी 1041, अक्षरधाम अपार्टमेन्ट सेक्टर-एम, पाकेट-3, द्वारिका नई दिल्ली

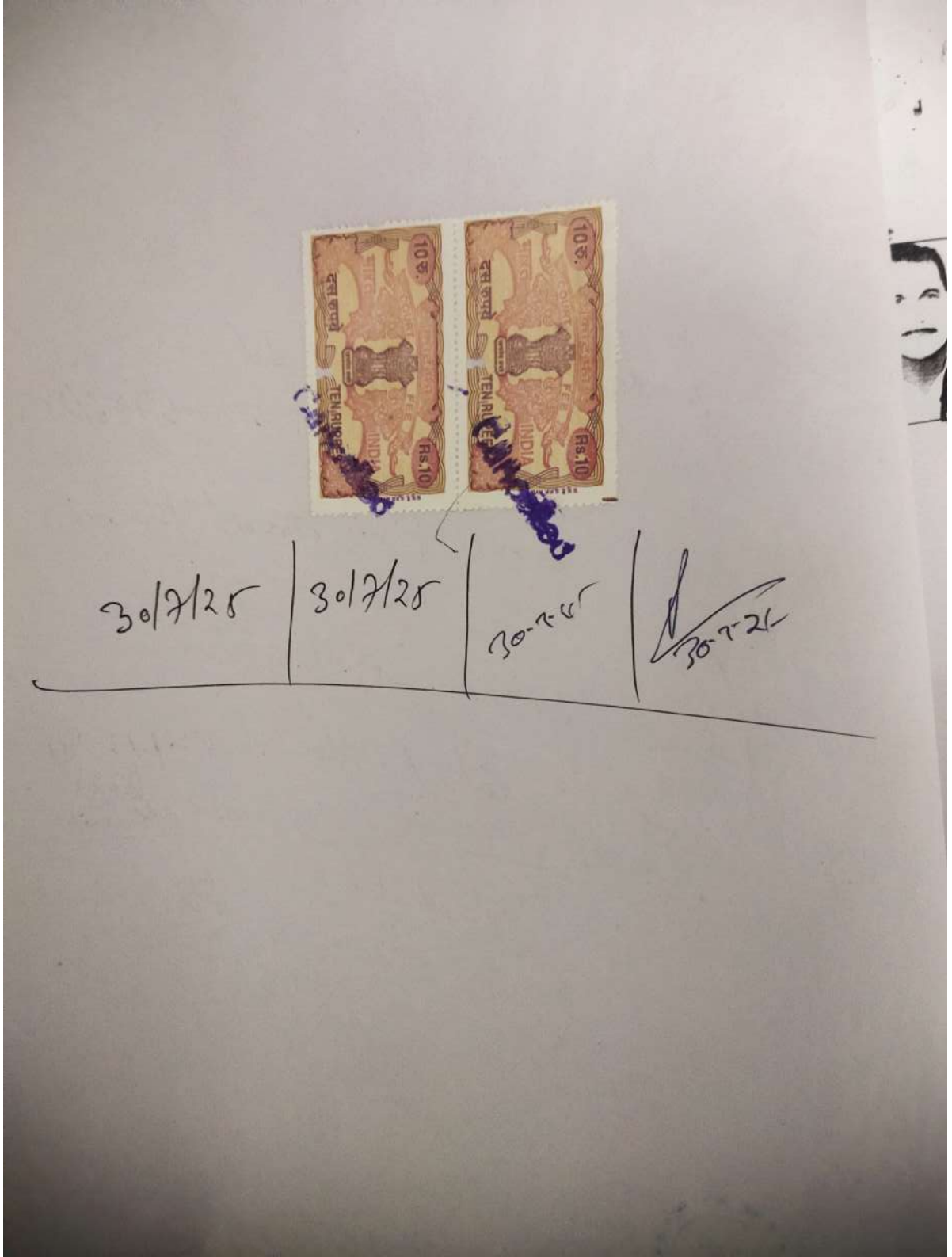
.....विपक्षीगण

वाद सं0- /2025
अं0धारा- 308, 319, 318, 351(2)(3), 356(1), 352 बी0एन0एस0
थाना हुसैनगंज, लखनऊ

पार्थना पत्र अन्तर्गत धारा 173(4) बी०एन०एस०एस० वास्ते रिपोर्ट दर्ज करने हेतु

महोदय,

सविनय निम्न निवेदन है कि :-


10रु.
दस रुपये
TEN RUPEES
INDIA
Rs.10
30/7/25
30/7/25
30-7-25
30-7-25

U/s 84
30/7/25

In the court of Addl. Sessions Judge Ist Cls
Addl. Misc No 3786/25

Cornel Firoj Hameed Ushmani

Vs

Ashu Pathak & Ors

Copy of Application U/s 173 (3) BNS with Affidavit

Addl. P.P. to Copy

Annexure 2

WhatsApp Chat with Anam Usmani

13/11/2023, 11:12 - Anam Usmani: Oh I wish, you become like Nariman Sir someday!!!
13/11/2023, 11:12 - Ashu Pathak: Nhi bro sexy Banna hai
13/11/2023, 11:12 - Ashu Pathak: That man is after legacy
13/11/2023, 11:12 - Ashu Pathak: I want to be RS Pathak
13/11/2023, 11:12 - Ashu Pathak: □□□
13/11/2023, 11:13 - Ashu Pathak: https://en.m.wikipedia.org/wiki/Raghunandan_Swarup_Pathak
13/11/2023, 11:13 - Ashu Pathak: Basically greatest Pathak of all time
13/11/2023, 11:14 - Anam Usmani: And how did ypu learn the process?
13/11/2023, 11:14 - Anam Usmani: Arrre aap toh usse bhi greatest Pathak bhanege
13/11/2023, 11:15 - Anam Usmani: You know, if you look closely enough you look like him a bit, like a younger version □
13/11/2023, 11:19 - Ashu Pathak: Yaar dekh last law firm mein toh honestly speaking I was being really bad because I was working like soldier burn out hgya
13/11/2023, 11:19 - Ashu Pathak: But ye tha wahan drafting and exposure zyada mil gya
13/11/2023, 11:19 - Ashu Pathak: Now I am focused on High Court Supreme Court NCDRC District Court and Arbitration
13/11/2023, 11:20 - Ashu Pathak: That's the plan to go down in history
13/11/2023, 11:20 - Ashu Pathak: What's up with you? How is the work ?
22/08/2024, 11:22 - Ashu Pathak: <Media omitted>
22/08/2024, 11:44 - Anam Usmani: Hi, Ashu.
22/08/2024, 11:44 - Anam Usmani: What's this?
22/08/2024, 11:47 - Anam Usmani: I don't understand, I mean, I stopped talking to everyone for the past one year, cause of my own mental health breakdown.

WhatsApp Chat with Anam Usmani

22/08/2024, 11:54 - Anam Usmani: You didn't talk to mayank, I guess, but we broke up and I stopped talking to almost everyone including you, cause I still haven't been able to get a job and I just can't seem to move forward in any manner, so I don't even know what you're talking about in the notice, cause forget rumors I have'nt had a talk with any one from the legal fraternity

22/08/2024, 11:58 - Anam Usmani: Let me know if I can talk to you, because I don't think without any evidence I even believe what you wrote in the letter. There might have been some misunderstanding cause I know you're a very nice guy, won't hurt someone out of spite.

22/08/2024, 12:41 - Ashu Pathak: I believe you that's why please send a written assurance as required in legal notice. You are well educated in law and you know how to use certain piece of information since so much have happened to me. I am sure you will have no problem in sending any assurance.

22/08/2024, 12:59 - Anam Usmani: But what happened to you exactly? Are you alright, now? I mean, what occurred that made you take such a step? I mean, atleast don't you think I am supposed to know the events before signing any kind of assurance? Please Ashu, communicate toh karo, I am already under immense pressure, don't make it more difficult.

22/08/2024, 13:00 - Ashu Pathak: It's plain and simple document. Please go through it for the sake of brevity.

22/08/2024, 13:00 - Anam Usmani: Ashu I did, but hua kya?

22/08/2024, 13:01 - Anam Usmani: I mean, what third parties are you talking about?

22/08/2024, 13:10 - Ashu Pathak: Third parties mean any person other than you and me

22/08/2024, 13:38 - Anam Usmani: Haanji, that I understood. But when I am stating to you that I haven't even spoken in not only legal fraternity

but any of our acquaintances, so what slander or libel are you mentioning about?
22/08/2024, 13:38 - Anam Usmani: Koi evidence toh do na, hua kya hai? Or atleast, explain me in the call. You're not even taking the call.
22/08/2024, 13:41 - Anam Usmani: Come on, Ashu. I understand you must be pissed but I really don't know hua kya hai, call me and atleast let's communicate, because you know how I consider you my very close friend, someone who was always there for me please share with me what happened.
22/08/2024, 13:41 - Ashu Pathak: Why will I be pissed
22/08/2024, 15:04 - Anam Usmani: Because you're not taking my call, to even discuss what happened, you know that right, as an advocate myself, I atleast ought to know or see evidence of some kind that made you write this notice before I even contemplate to respond. You and I have been good friends so you owe atleast an explanation and evidence of false image or video for the notice.
22/08/2024, 15:07 - Ashu Pathak: I have given you great opportunity to settle the dispute with mere agreement. I am not even seeking damages but my sources are strong and reliable. Please be considerate.
22/08/2024, 15:08 - Ashu Pathak: I don't want to harm you but the said source has propounded true and correct information. Therefore please be mindful about your next steps.
22/08/2024, 15:09 - Ashu Pathak: I come from the family of government servants and have built a great deal of reputation in the fraternity. Please let's settle with simple signature rather going to court
22/08/2024, 15:28 - Anam Usmani: Ashu, that's what I am asking you, who is this source that you have greater faith on than me or mayank. I mean, why didn't it occur to you ki atleast ek bar call karke you could have asked me directly whatever you might have heard, whether that's true or not.

WhatsApp Chat with Anam Usmani

I mean, you do know, how bizarre it sounds to me, that I who haven't even worked for two years now, to whom would I talk about you, and why would I?
22/08/2024, 15:28 - Anam Usmani: And you know how much great respect I have for your family and you. I was so happy to see you last year when you invited me to your home so that I could give you your birthday gift, why would you think I would harm you? I mean, it's the opposite happening here, I am already not great plus now it seems I hurt you without knowing myself, so much so that you would rather send me a notice than talk to me about it. What wrong did I do exactly? Please Ashu, please be kind to talk to me and explain who told you what, and what happened, because I am helplessly crying here to make any meaning of what you did today. I can assure you I haven't been I contact with anyone from our group or anyone who is remotely known to you and me. Do you want screnshots of all the conversations I had with other law clerks ? That might help you understand my point of view.
22/08/2024, 15:36 - Ashu Pathak: Anam I have already given you way out. I am not seeking damages as of now so just sign and finish this.
22/08/2024, 16:58 - Ashu Pathak: I want to help you out therefore I am suggesting you mediation meanwhile.
22/08/2024, 17:04 - Ashu Pathak: https://dhcmediation.nic.in/Pre-Litigation-Mediation-Conciliation
22/08/2024, 17:04 - Ashu Pathak: null
22/08/2024, 17:07 - Ashu Pathak: This will save both of us time and we can settle the dispute in fair way.
23/08/2024, 18:50 - Ashu Pathak: I will have call with Mayank tonight. If you want to join then let me know
06/10/2024, 12:20 - Ashu Pathak: <Media omitted>
11/07/2025, 13:04 - Ashu Pathak: IMG-20250711-WA0090.jpg (file attached)

CHAMBER OF ASHU PATHAK
B.A. (HONs.), LL.B, PGD CLM
104 AKSHARDHAM APARTMENTS, SECTOR 19 POCKET 3 DWARKA
NEW DELHI 110075

Annexure 3

Date: 22.08.2024

REQUEST TO CEASE AND DESIST ALL DEFAMATION, SLANDER AND/OR LIBELOF CHARACTER AND REPUTATION

Dear Mayank, Anam and Sania,

I am writing to formally request that you immediately cease and desist from engaging in actions that have been detrimental to my reputation. It has come to my attention, through various sources, that you have allegedly been misusing certain information about me in a manner intended to cast me in an unfavorable light. This behavior is both troubling and unacceptable.

I take this matter very seriously. Any further actions that harm my personal or professional standing will not be tolerated. I strongly urge you to put an end to any conduct that could further damage my reputation or character. Should this behavior continue, I will have no choice but to pursue legal action.

Please be aware that it is illegal to make false statements, whether written or verbal, about an individual's character or reputation. Such actions may include:

- Creating or sharing any false statement, image, or video with the intent to cause harm or damage to another person's character or reputation;
- Communicating such false information to a third party, either in writing or verbally;
- Engaging in actions where you knew or should have reasonably known that the statement, image, or video was false.

THEREFORE, I am requesting that you immediately cease and desist from engaging in any illegal acts of defamation, slander, and/or libel against my character and reputation. Additionally, within 15 business days, I require you to return the signed written assurance provided below, affirming that you will refrain from any future acts of defamation, slander, and/or libel.

Failure to comply with this cease-and-desist request, and/or failure to return the signed assurance within the stipulated timeframe, will compel me to pursue all available legal remedies. This may include, but is not limited to, filing a motion for injunctive relief, seeking monetary damages, and recovering any related filing fees, court costs, and attorney fees.
I trust that you will take this request seriously and act accordingly.

Sincerely,

ASHU PATHAK LL.B

Ashu Pathak

CHAMBER OF ASHU PATHAK
B.A. (HONs.), LL.B, PGD CLM
104 AKSHARDHAM APARTMENTS, SECTOR 19 POCKET 3 DWARKA
NEW DELHI 110075

ASSURANCE TO CEASE AND DESIST FURTHER ACTS OF DEFAMATION, SLANDER OR LIBEL

In accordance with the above request and stipulation, I, _____, hereby agree to immediately cease and desist from any and all actions that may constitute defamation of character and/or reputation against _____. By signing this agreement, I acknowledge that my compliance will release me from any claims of defamation, slander, and/or libel related to this incident.

However, should I fail to uphold this agreement or engage in any conduct that breaches this assurance, _____ will be entitled to recover all associated legal costs, including filing fees, court costs, and attorney fees, in any legal action taken to enforce this agreement. Additionally, [Recipient's Name] may seek injunctive relief and/or monetary damages that would have been available had this assurance not been signed.

_____

[Please tick the Name and sign 1. Mayank Bhatt 2. Anam Usmani 3. Sania Usmani]

_____

[DATED- _____]

ASHU PATHAK LL.B

Notice: This agreement form is provided solely for general informational purposes. It is strongly recommended that you consult with a qualified attorney within your jurisdiction before utilizing or finalizing this or any other legal document. A lawyer will ensure that the form is tailored to meet your specific legal needs and complies with all relevant laws and regulations within your jurisdiction. Failure to do so may result in unintended legal consequences or an agreement that

CHAMBER OF ASHU PATHAK
B.A. (HONs.), LL.B, PGD CLM
104 AKSHARDHAM APARTMENTS, SECTOR 19 POCKET 3 DWARKA
NEW DELHI 110075

does not adequately protect your interests.

Mr. Ashu Pathak
Advocate, Supreme Court of India
B.A. (Hons.) LL.B. (Hons.), PGD CLM
Email- ashu030295@gmail.com

Flat No. 104
Akshardham Apartment
Sector 19 Pocket 3
Dwarka New Delhi

25 September 2024

Email/Speed Post

To,

Anam Usmani
D/o Col. Feeroz Hamid Usmani,.
H.no. 12, 16/34 Fawn Brake. Avenue,
Sarojini Naidu Marg,.
Inside Begum Akhtar Compound,
Near Handa Hospital, Hazaratganj
Lucknow Uttar Pradesh- 226001

Subject: Legal Notice for Compensation and Damages Arising from Defamation

Dear Anam,

I refer to the cease-and-desist notice previously served upon you, in response to which you inadvertently admitted that I should indeed be "pissed." Your acknowledgment only reinforces the gravity of your actions and their impact on my reputation.

It has come to my attention through my friends and neighbours that you have maliciously spread false and fictitious rumours about me, motivated purely by spite. These baseless statements were intended to cause harm to my professional reputation and personal standing within the community. As a result, I have been subjected to undue scrutiny and judgment, adversely affecting my personal and professional life.

Your conduct constitutes defamation, and I hold you fully responsible for the damage done to my reputation, as well as the emotional distress I have suffered.

In light of the above, I demand that you pay INR 40,00,000/- (Rupees Forty Lakhs only) as compensation for the harm caused within 15 days of receipt of this notice. This amount reflects the damages arising from your defamatory actions and the broader impact on my professional life.

Should you fail to comply with this demand, I will have no choice but to initiate legal proceedings against you in a court of competent jurisdiction. In such an event, you will be held liable for all associated costs and additional damages that may arise.

Mr. Ashu Pathak
Advocate. Supreme Court of India
B.A. (Hons.) LL.B. (Hons.). PGD CLM
Email- ashu030295@gmail.com

Flat No. 104
Akshardham Apartment
Sector 19 Pocket 3
Dwarka New Delhi

This notice is issued without prejudice to any and all rights available to me under applicable law.

It is pertinent to note that your sister has neither signed the settlement agreement that was sent by me nor has there been any response to the notice issued under Order XII Rule 8 of the Code of Civil Procedure. This deliberate silence and failure to respond are concerning and should be taken seriously. Please be mindful that under the law, an adverse inference may be drawn from this lack of response, which could be interpreted as an implicit admission of liability on your part. It is in your best interest to address this matter promptly to avoid further legal consequences. I trust you will treat this matter with the seriousness it deserves and resolve it promptly.

Yours sincerely,

Ashu Pathak

RAM RAJ
ADVOCATE

1, Moti Mahal Marg,
Hazratganj, Lucknow- 226 001
Mob.: 9839010314
e-mail: ramraj_advocate@yahoo.com

SPEED POST

To,

Date: 08.10.2024

Mr. Ashu Pathak,
Advocate,
Flat No.104, Akshardham Apartment,
Sector-19, Pocket-3, Dwarka,
New Delhi

Sub.: Your legal notice dated 25.09.2024 for compensation and damages allegedly arising from defamation.

Attention,

Under the instructions of my client Ms. Anam Usmani, daughter of Col. Feeroz Hamid Usmani, resident of House No.12, 16/34, Fawn Brake Avenue, Sarojini Naidu Marg, Hazratganj, Lucknow-226001, I have to reply your alleged legal notice as under :

1. Your whimsical legal notice dated 25.09.2024, under reply, shows that you intend to extort money by different ways from my client by intimidating her on fancy and vague grounds.

2. All the allegations made by you in the legal notice, presently under reply, are besides being concocted, mischievous and amount to nothing short of extortion.

3. The demand of Rs.40.00 lakhs (Rupees Forty lakhs only) from my clients speaks volumes about your conduct towards my client. Nevertheless, the said extortion shall be soon taken care of by the

Police once I advise my client to lodge an FIR against you. May I remind you that earlier I had telephonically required you not to indulge in your nefarious activities any further. You, however, did not relent.

4. In case you fail to recall your alleged malicious legal notice dated 25.09.2024 within 24 hours from the receipt of this reply, my client shall be free to take both criminal and civil action against you for which you shall be personally liable. You shall also be saddled with the cost of litigation as well.

5. A copy of this reply to your notice is being sent to Bar Council of Delhi as well.

(Ram Raj)

Mr. Ashu Pathak
Advocate, Supreme Court of India
B.A. (Hons.) LL.B. (Hons.), PGD CLM
Email- ashu030295@gmail.com

Flat No. 104
Akshardham Apartment
Sector 19 Pocket 3
Dwarka New Delhi

10 October 2024

EMAIL

To:
Anam Usmani
D/o Col. Feeroz Hamid Usmani
H.no. 12, 16/34 Fawn Brake Avenue
Sarojini Naidu Marg
Inside Begum Akhtar Compound
Near Handa Hospital, Hazaratganj
Lucknow, Uttar Pradesh- 226001

Subject: Rejoinder to the Reply dated 8.10.2024

1. Cease and Desist Letter dated 22.08.2024
2. Legal Notice dated 25.09.2024
3. Legal Notice dated 5.10.2024

Dear Mr. Ram Raj,

The reply you have provided to the legal notice is nothing more than a failed attempt to conceal the truth. Your client has made defamatory statements, which were corroborated by Mr. Mayank Bhatt during a recent telephonic conversation. Additionally, your client has admitted to visiting my home, where she publicly humiliated me, further demonstrating her malicious intent.

It is also pertinent to mention that your demands, including filing a police complaint and escalating the matter to the Bar Council of India, are entirely unwarranted. Furthermore, the reference to your client's father being a Colonel is irrelevant and inappropriate in this context.

The incident involving your client raises serious concerns about her conduct within the professional environment of the Uttarakhand High Court. She concealed an alcohol bottle within the almirah designated for law clerks, seemingly intending to implicate me as a drunkard and damage my professional reputation. Upon confronting her, she acknowledged her wrongdoing and issued an apology.

The attacks on my reputation did not cease with the alcohol incident. In a further attempt to malign my character, your client publicly accused me of being a drunkard and a smoker—baseless accusations aimed at tarnishing my professional image. Such reckless defamation, if made in a public forum, could seriously damage my career.

In 2023, your client escalated her actions by publicly defaming me in front of mutual acquaintances in Dwarka. With complete disregard for the truth, she falsely accused me of being a habitual drunkard and drug user. Furthermore, she unlawfully disclosed sensitive information related to

Mr. Ashu Pathak
Advocate, Supreme Court of India
B.A. (Hons.) LL.B. (Hons.), PGD CLM
Email- ashu030295@gmail.com

Flat No. 104
Akshardham Apartment
Sector 19 Pocket 3
Dwarka New Delhi

my professional work during my tenure as a law clerk on retainer, violating the Official Secrecy Act. These malicious statements were not only defamatory but also a severe breach of legal confidentiality, clearly intended to damage my personal and professional reputation.

Given the gravity of these actions, I strongly advise that your client issue a formal apology for the defamatory remarks. Should this not occur, I will have no choice but to pursue legal action and file a defamation suit.

Yours sincerely,

Ashu Pathak
Advocate, Supreme Court of India
B.A. (Hons.) LL.B. (Hons.), PGD CLM

Summary of Transactions between Anam & Ashu (Including Zomato & Swiggy Orders)

Annexure 4

1. Transactions Between Anam & Ashu

Date	Direction	Amount (■)
01-Apr-2022	Anam → Ashu	30.00
08-Apr-2022	Anam → Ashu	30.00
19-Apr-2022	Anam → Ashu	10.00
10-May-2022	Ashu → Anam	100.00
	Net (Ashu paid more)	30.00

2. Zomato Transactions

Date	Amount (■)
08-Apr-2022	241.40
16-Apr-2022	1705.10
26-Apr-2022	145.80
01-May-2022	136.25
	Total = 2228.55

3. Swiggy Transactions

Date	Amount (■)
02-Apr-2022	313.00
04-Apr-2022	175.00
17-Apr-2022	810.00
22-Apr-2022	255.00
24-Apr-2022	121.00
28-Apr-2022	442.00
22-May-2022	607.00
	Total = 2723.00

Final Summary:
- Anam → Ashu: ■70.00
- Ashu → Anam: ■100.00
- Net: Ashu paid ■30 more

- Swiggy Spend: ■2,723.00
- Zomato Spend: ■2,228.55

- **Total Food Delivery Spend: ■4,951.55**

Account Name : Mr. ASHU PATHAK
Address : FLAT NO. 104, AKSHARDHAM APT., PKT-3
SECTOR-19
DWARKA-110075
07097:South West
Date : 19 Jun 2025
Account Number : 00000033454473103
Account Description : WEALTH S B PUBLIC
Branch : SECTOR 11 DWARKA NEW DELHI
Drawing Power : 0.00
Interest Rate(% p.a.) : 2.5
MOD Balance : 0.00
CIF No. : 87049821640
CKYCR Number :XXXXXXXXXX5415
IFS Code :SBIN0060458
(Indian Financial System)
MICR Code : 110002499
(Magnetic Ink Character Recognition)
Nomination Registered : Yes
Balance as on 1 Apr 2022 : 3,142.46

Account Statement from 1 Apr 2022 to 31 Mar 2023

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
1 Apr 2022	1 Apr 2022	TO TRANSFER-UPI/DR/209108004084/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099635162091	114.00		3,028.46
1 Apr 2022	1 Apr 2022	BY TRANSFER-UPI/CR/209117831399/ANAMUS/SBIN/usmani7ana/UPI-	TRANSFER FROM 4693515162096		30.00	3,058.46
1 Apr 2022	1 Apr 2022	TO TRANSFER-UPI/DR/209117880009/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4898886162096	140.00		2,918.46
1 Apr 2022	1 Apr 2022	by debit card-OTHPOS209118912581A V ASSOCIATES NAINITAL-		540.00		2,378.46
2 Apr 2022	2 Apr 2022	TO TRANSFER-UPI/DR/209213638628/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099714162092	40.00		2,338.46
2 Apr 2022	2 Apr 2022	ATM WDL-ATM CASH 7535 HIGH COURT NAINITAL NAINITAL-		1,000.00		1,338.46
2 Apr 2022	2 Apr 2022	TO TRANSFER-UPI/DR/209214854956/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694385162093	45.00		1,293.46
2 Apr 2022	2 Apr 2022	TO TRANSFER-UPI/DR/209217208550/Swiggy/UTIB/swiggyupi@/Swiggy-	TRANSFER TO 5097994162095	313.00		980.46
3 Apr 2022	3 Apr 2022	TO TRANSFER-UPI/DR/209311212392/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5098123162090	60.00		920.46
3 Apr 2022	3 Apr 2022	TO TRANSFER-UPI/DR/209312747305/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694506162098	76.00		844.46
3 Apr 2022	3 Apr 2022	TO TRANSFER-UPI/DR/209316491805/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4897685162093	54.00		790.46

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
4 Apr 2022	4 Apr 2022	TO TRANSFER-UPI/DR/209408718875/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4693801162090	66.00		724.46
4 Apr 2022	4 Apr 2022	TO TRANSFER-UPI/DR/209413657479/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5097555162095	40.00		684.46
4 Apr 2022	4 Apr 2022	TO TRANSFER-UPI/DR/209418905625/Swiggy/UTIB/swiggyupi@/Swiggy-	TRANSFER TO 4692430162097	175.00		509.46
4 Apr 2022	4 Apr 2022	TO TRANSFER-UPI/DR/209419299018/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4693810162099	162.00		347.46
4 Apr 2022	4 Apr 2022	TO TRANSFER-UPI/DR/209462331438/Paytm Re/PYTM/paybil3066/Oid17-	TRANSFER TO 5097548162094	151.00		196.46
5 Apr 2022	5 Apr 2022	TO TRANSFER-UPI/DR/209508024580/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5097647162092	56.00		140.46
5 Apr 2022	5 Apr 2022	TO TRANSFER-UPI/DR/209516462061/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693927162098	30.00		110.46
5 Apr 2022	5 Apr 2022	TO TRANSFER-UPI/DR/209518466146/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693937162096	40.00		70.46
6 Apr 2022	6 Apr 2022	TO TRANSFER-UPI/DR/209614453366/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099494162098	60.00		10.46
6 Apr 2022	6 Apr 2022	BY TRANSFER-UPI/CR/209677847258/Paytm/PYTM/walletmone/NA-	TRANSFER FROM 5099002162090		2,000.00	2,010.46
6 Apr 2022	6 Apr 2022	BY TRANSFER-INB IMPS209620699345/9910911416/XX1056/Quick Pay-	MAF000088234207 MAF000088234207		1,507.00	3,517.46
6 Apr 2022	6 Apr 2022	BY TRANSFER-INB IMPS209621723275/9910911416/XX1056/-	MAC000964636803 MAC000964636803		8,500.00	12,017.46
6 Apr 2022	6 Apr 2022	TO TRANSFER-UPI/DR/209621264615/MAYANK B/NTBL/bhattmayan/UPI-	TRANSFER TO 4694069162093	350.00		11,667.46
6 Apr 2022	6 Apr 2022	TO TRANSFER-UPI/DR/209621315049/ANAMUS/SBIN/usmani7ana/UPI-	TRANSFER TO 5099539162090	94.00		11,573.46
6 Apr 2022	6 Apr 2022	TO TRANSFER-UPI/DR/209621316705/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER TO 5099533162096	420.00		11,153.46
6 Apr 2022	6 Apr 2022	TO TRANSFER-UPI/DR/209621572523/SAMMANIK/SBIN/sammanika./UPI-	TRANSFER TO 4694001162091	8,500.00		2,653.46
6 Apr 2022	6 Apr 2022	TO TRANSFER-UPI/DR/209621130406/Shiva Pu/PYTM/paytmqr281/UPI-	TRANSFER TO 5097723162096	260.00		2,393.46
6 Apr 2022	6 Apr 2022	TO TRANSFER-UPI/DR/209622571324/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099535162094	92.00		2,301.46
7 Apr 2022	7 Apr 2022	BY TRANSFER-UPI/CR/209700945549/ANAMUS/SBIN/usmani7ana/UPI-	TRANSFER FROM 5098508162093		800.00	3,101.46
7 Apr 2022	7 Apr 2022	TO TRANSFER-UPI/DR/209708674047/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694095162091	86.00		3,015.46
7 Apr 2022	7 Apr 2022	ATM WDL-ATM CASH 9259 HIGH COURT NAINITAL NAINITAL-		1,000.00		2,015.46
7 Apr 2022	7 Apr 2022	TO TRANSFER-UPI/DR/209718151166/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099576162096	114.00		1,901.46
7 Apr 2022	7 Apr 2022	BY TRANSFER-UPI/CR/209783894299/SaniaU/SBIN/9473540959/NA-	TRANSFER FROM 5099079162091		366.00	2,267.46

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
8 Apr 2022	8 Apr 2022	TO TRANSFER-UPI/DR/209813753646/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5097927162095	40.00		2,227.46
8 Apr 2022	8 Apr 2022	TO TRANSFER-UPI/DR/209815309762/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099678162091	20.00		2,207.46
8 Apr 2022	8 Apr 2022	BULK POSTING-UPI/209217208550/CRADJ-			313.00	2,520.46
8 Apr 2022	8 Apr 2022	BY TRANSFER-UPI/CR/209839820076/Paytm/PYTM/walletmone/NA-	TRANSFER FROM 5098607162091		420.00	2,940.46
8 Apr 2022	8 Apr 2022	TO TRANSFER-UPI/DR/209818747601/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694236162094	104.00		2,836.46
8 Apr 2022	8 Apr 2022	BY TRANSFER-UPI/CR/209820800883/ANAMUS/SBIN/usmani7ana/UPI-	TRANSFER FROM 4899369162099		30.00	2,866.46
8 Apr 2022	8 Apr 2022	TO TRANSFER-UPI/DR/209822224536/Zomato Ltd/PYTM/zomato-ord/Zom-	TRANSFER TO 4692616162099	241.40		2,625.06
9 Apr 2022	9 Apr 2022	TO TRANSFER-UPI/DR/209909393701/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694320162098	54.00		2,571.06
9 Apr 2022	9 Apr 2022	by debit card-OTHPOS209912032129NANAK SUPERMARKET NAINITAL-		872.00		1,699.06
9 Apr 2022	9 Apr 2022	TO TRANSFER-UPI/DR/209913315563/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5098032162092	64.00		1,635.06
9 Apr 2022	9 Apr 2022	TO TRANSFER-UPI/DR/209913403156/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099768162099	10.00		1,625.06
9 Apr 2022	9 Apr 2022	TO TRANSFER-UPI/DR/209922135252/The Cask/UTIB/gpay-11187/UPI-	TRANSFER TO 5098012162096	325.00		1,300.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210008560395/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694411162096	36.00		1,264.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210009779669/HARSHVAR/SBIN/sharmahars/UPI-	TRANSFER TO 4694427162098	1,262.00		2.06
10 Apr 2022	10 Apr 2022	BY TRANSFER-UPI/CR/210003044714/INDRAJEE/PYTM/9810464093/NA-	TRANSFER FROM 4693644162098		1,200.00	1,202.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210010752452/HARSHVAR/SBIN/sharmahars/UPI-	TRANSFER TO 4897685162093	90.00		1,112.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210018217565/VAIBHAW /YESB/q211280652/UPI-	TRANSFER TO 4692690162099	20.00		1,092.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210057411185/YAADGAR /PYTM/paytm-6238/Oid20-	TRANSFER TO 5098102162094	40.00		1,052.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210019789634/Bob Acco/PYTM/paytmqr281/UPI-	TRANSFER TO 4692699162091	10.00		1,042.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210019043435/YAADGAR /PYTM/paytmqr281/UPI-	TRANSFER TO 4692670162093	40.00		1,002.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210020838486/YAADGAR /PYTM/paytmqr281/UPI-	TRANSFER TO 4692697162093	40.00		962.06
10 Apr 2022	10 Apr 2022	TO TRANSFER-UPI/DR/210020376942/Bob Acco/PYTM/paytmqr281/UPI-	TRANSFER TO 5098110162094	20.00		942.06
11 Apr 2022	11 Apr 2022	TO TRANSFER-UPI/DR/210108187228/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5097559162091	99.00		843.06
11 Apr 2022	11 Apr 2022	TO TRANSFER-UPI/DR/210110885644/MANOJGIRI/BARB/manojgoswa/UPI-	TRANSFER TO 4693783162098	35.00		808.06

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
11 Apr 2022	11 Apr 2022	TO TRANSFER-UPI/DR/210113782823/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5097577162090	140.00		668.06
11 Apr 2022	11 Apr 2022	TO TRANSFER-UPI/DR/210116601917/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693841162093	20.00		648.06
11 Apr 2022	11 Apr 2022	TO TRANSFER-UPI/DR/210119392030/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099402162096	40.00		608.06
11 Apr 2022	11 Apr 2022	BY TRANSFER-UPI/CR/210131360726/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 4693060162099		20.00	628.06
11 Apr 2022	11 Apr 2022	TO TRANSFER-UPI/DR/210120817147/Bob Acco/PYTM/paytmqr281/UPI-	TRANSFER TO 5097541162091	80.00		548.06
11 Apr 2022	11 Apr 2022	TO TRANSFER-UPI/DR/210121124358/Bob Acco/PYTM/paytmqr281/UPI-	TRANSFER TO 4692444162092	20.00		528.06
11 Apr 2022	11 Apr 2022	TO TRANSFER-UPI/DR/210121232976/RUCHIR SAH/HDFC/q802993239/UPI-	TRANSFER TO 5097559162091	432.00		96.06
12 Apr 2022	12 Apr 2022	TO TRANSFER-UPI/DR/210208068457/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099414162093	69.00		27.06
13 Apr 2022	13 Apr 2022	BY TRANSFER-NEFT*RBIS0GOUKEP*RBI1042209695784*Nainital*OP36004-	TRANSFER FROM 3199964044308		31,500.00	31,527.06
13 Apr 2022	13 Apr 2022	TO TRANSFER-UPI/DR/210318423299/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4898854162093	108.00		31,419.06
13 Apr 2022	13 Apr 2022	TO TRANSFER-UPI/DR/210318430377/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099510162092	48.00		31,371.06
13 Apr 2022	13 Apr 2022	ATM WDL-ATM CASH 1125 HIGH COURT NAINITAL NAINITAL-		2,000.00		29,371.06
13 Apr 2022	13 Apr 2022	TO TRANSFER-UPI/DR/210320204771/RAJENDRA/SBIN/drrppathak/UPI-	TRANSFER TO 4694042162093	9,800.00		19,571.06
13 Apr 2022	13 Apr 2022	TO TRANSFER-UPI/DR/210321692065/EURONETG/ICIC/euronetgpa/UPI-	TRANSFER TO 4692539162095	300.00		19,271.06
13 Apr 2022	13 Apr 2022	TO TRANSFER-UPI/DR/210321826666/EURONETG/ICIC/euronetgpa/UPI-	TRANSFER TO 5097728162091	300.00		18,971.06
14 Apr 2022	14 Apr 2022	TO TRANSFER-UPI/DR/210400020035/INDRAJEE/SBIN/indrajeetp/UPI-	TRANSFER TO 5097855162094	2,700.00		16,271.06
14 Apr 2022	14 Apr 2022	TO TRANSFER-UPI/DR/210410379445/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694144162098	250.00		16,021.06
14 Apr 2022	14 Apr 2022	TO TRANSFER-UPI/DR/210416858419/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099573162099	54.00		15,967.06
14 Apr 2022	14 Apr 2022	TO TRANSFER-UPI/DR/210417164807/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5097841162090	136.00		15,831.06
14 Apr 2022	14 Apr 2022	TO TRANSFER-UPI/DR/210417166320/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5097840162090	144.00		15,687.06
14 Apr 2022	14 Apr 2022	ATM WDL-ATM CASH 1371 HIGH COURT NAINITAL NAINITAL-		4,000.00		11,687.06
14 Apr 2022	14 Apr 2022	TO TRANSFER-UPI/DR/210421648888/SWIGGY/ICIC/upiswiggy@/UPI-	TRANSFER TO 4692560162098	1,035.00		10,652.06
15 Apr 2022	15 Apr 2022	BY TRANSFER-UPI/CR/210540520742/HIMANSHU/BARB/hr0156440@/UPI-	TRANSFER FROM 4693423162090		150.00	10,802.06

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
15 Apr 2022	15 Apr 2022	TO TRANSFER-UPI/DR/210514559213/Mr MAYAN/IDIB/q39134873@/UPI-	TRANSFER TO 4897678162092	120.00		10,682.06
15 Apr 2022	15 Apr 2022	by debit card-OTHPOS210518922467A V ASSOCIATES NAINITAL-		1,700.00		8,982.06
15 Apr 2022	15 Apr 2022	by debit card-SBIPOS210521920438BOAT HOUSE NAINITAL-		2,080.00		6,902.06
15 Apr 2022	15 Apr 2022	by debit card-OTHPOS210523294191EMBASSY RESTAURANT NAINITAL-		1,129.00		5,773.06
16 Apr 2022	16 Apr 2022	TO TRANSFER-UPI/DR/210608696633/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099739162093	95.00		5,678.06
16 Apr 2022	16 Apr 2022	TO TRANSFER-UPI/DR/210618860448/RAHULKU/NTBL/kulyalrahu/UPI-	TRANSFER TO 5099759162099	1,000.00		4,678.06
16 Apr 2022	16 Apr 2022	TO TRANSFER-UPI/DR/210619712891/Bob Acco/PYTM/paytmqr281/UPI-	TRANSFER TO 4692629162094	60.00		4,618.06
16 Apr 2022	16 Apr 2022	TO TRANSFER-UPI/DR/210620308687/Zomato/HDFC/zomato@hdf/ZomatoO-	TRANSFER TO 4692656162091	1,705.10		2,912.96
17 Apr 2022	17 Apr 2022	TO TRANSFER-UPI/DR/210710415398/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694514162099	400.00		2,512.96
17 Apr 2022	17 Apr 2022	TO TRANSFER-UPI/DR/210713758164/SaniaU/SBIN/9473540959/NA-	TRANSFER TO 4897689162099	102.00		2,410.96
17 Apr 2022	17 Apr 2022	BY TRANSFER-UPI/CR/210713860367/SaniaU/SBIN/9473540959/NA-	TRANSFER FROM 4693681162094		400.00	2,810.96
17 Apr 2022	17 Apr 2022	TO TRANSFER-UPI/DR/210712419931/SWIGGY/ICIC/upiswiggy@/UPI-	TRANSFER TO 4692674162090	810.00		2,000.96
17 Apr 2022	17 Apr 2022	BY TRANSFER-UPI/CR/210722103731/SaniaU/SBIN/9473540959/NA-	TRANSFER FROM 5099262162093		540.00	2,540.96
17 Apr 2022	17 Apr 2022	TO TRANSFER-UPI/DR/210717948433/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5098144162095	36.00		2,504.96
17 Apr 2022	17 Apr 2022	ATM WDL-ATM CASH 2375 HIGH COURT NAINITAL NAINITAL-		1,000.00		1,504.96
18 Apr 2022	18 Apr 2022	TO TRANSFER-UPI/DR/210819773787/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5097554162096	86.00		1,418.96
18 Apr 2022	18 Apr 2022	TO TRANSFER-UPI/DR/210820912870/KAWALMA/PYTM/paytmqr281/UPI-	TRANSFER TO 4898730162094	30.00		1,388.96
19 Apr 2022	19 Apr 2022	TO TRANSFER-UPI/DR/210909945738/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4693911162096	66.00		1,322.96
19 Apr 2022	19 Apr 2022	TO TRANSFER-UPI/DR/210913550550/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4898818162097	40.00		1,282.96
19 Apr 2022	19 Apr 2022	TO TRANSFER-UPI/DR/210916944301/MANOJGIRI/BARB/manojgoswa/UPI-	TRANSFER TO 4693879162090	60.00		1,222.96
19 Apr 2022	19 Apr 2022	BY TRANSFER-UPI/CR/210907840250/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5098924162090		20.00	1,242.96
19 Apr 2022	19 Apr 2022	TO TRANSFER-UPI/DR/210917241439/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099422162093	60.00		1,182.96
19 Apr 2022	19 Apr 2022	BY TRANSFER-UPI/CR/210917285333/ANAMUS/SBIN/usmani7ana/UPI-	TRANSFER FROM 5098890162093		10.00	1,192.96

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
19 Apr 2022	19 Apr 2022	TO TRANSFER-UPI/DR/210967842080/Mr RIZWAN/IDIB/rizwanhush/NA-	TRANSFER TO 4898823162090	70.00		1,122.96
20 Apr 2022	20 Apr 2022	BY TRANSFER-UPI/CR/211014207335/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5098417162097		20.00	1,142.96
20 Apr 2022	20 Apr 2022	TO TRANSFER-UPI/DR/211015409792/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693997162095	170.00		972.96
20 Apr 2022	20 Apr 2022	TO TRANSFER-UPI/DR/211016795962/MAYANK B/HDFC/bhattmayan/UPI-	TRANSFER TO 5099536162093	40.00		932.96
20 Apr 2022	20 Apr 2022	BY TRANSFER-UPI/CR/211052611430/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 4899344162097		40.00	972.96
20 Apr 2022	20 Apr 2022	TO TRANSFER-UPI/DR/211017164375/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5097771162099	70.00		902.96
20 Apr 2022	20 Apr 2022	TO TRANSFER-UPI/DR/211018844390/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4693972162094	134.00		768.96
20 Apr 2022	20 Apr 2022	TO TRANSFER-UPI/DR/211020268676/Sanjay G/UTIB/gpay-11190/UPI-	TRANSFER TO 5097711162090	120.00		648.96
21 Apr 2022	21 Apr 2022	TO TRANSFER-UPI/DR/211108208643/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5099554162091	74.00		574.96
21 Apr 2022	21 Apr 2022	TO TRANSFER-UPI/DR/211110124149/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099622162096	120.00		454.96
21 Apr 2022	21 Apr 2022	TO TRANSFER-UPI/DR/211113803159/HARSHVAR/SBIN/sharmahars/UPI-	TRANSFER TO 4898860162095	30.00		424.96
21 Apr 2022	21 Apr 2022	TO TRANSFER-UPI/DR/211115340121/MANOJ GIRI/BARB/manojgoswa/UPI-	TRANSFER TO 4898866162090	80.00		344.96
21 Apr 2022	21 Apr 2022	TO TRANSFER-UPI/DR/211118230111/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694111162097	90.00		254.96
21 Apr 2022	21 Apr 2022	BY TRANSFER-UPI/CR/211104634914/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 4693416162099		20.00	274.96
21 Apr 2022	21 Apr 2022	TO TRANSFER-UPI/DR/211119026642/Sanjay G/UTIB/gpay-11190/UPI-	TRANSFER TO 5097786162092	115.00		159.96
22 Apr 2022	22 Apr 2022	TO TRANSFER-UPI/DR/211209004261/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4898887162095	66.00		93.96
22 Apr 2022	22 Apr 2022	BY TRANSFER-UPI/CR/211223452450/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5099157162093		20.00	113.96
22 Apr 2022	22 Apr 2022	BY TRANSFER-UPI/CR/211247953479/INDRAJEE/SBIN/9810464093/NA-	TRANSFER FROM 4693441162098		2,000.00	2,113.96
22 Apr 2022	22 Apr 2022	TO TRANSFER-UPI/DR/211217451860/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694281162090	200.00		1,913.96
22 Apr 2022	22 Apr 2022	ATM WDL-ATM CASH 3815 HIGH COURT NAINITAL NAINITAL-		500.00		1,413.96
22 Apr 2022	22 Apr 2022	TO TRANSFER-UPI/DR/211277842501/Bob Acco/PYTM/paytm-6768/Oid20-	TRANSFER TO 5097912162092	60.00		1,353.96
22 Apr 2022	22 Apr 2022	TO TRANSFER-UPI/DR/211221791235/Swiggy/UTIB/swiggyupi@/Swiggy-	TRANSFER TO 4898750162090	255.00		1,098.96
23 Apr 2022	23 Apr 2022	TO TRANSFER-UPI/DR/211309422589/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694357162096	132.00		966.96
23 Apr 2022	23 Apr 2022	BY TRANSFER-UPI/CR/211355868035/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5098697162095		20.00	986.96

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
23 Apr 2022	23 Apr 2022	TO TRANSFER-UPI/DR/211312868285/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099756162092	40.00		946.96
23 Apr 2022	23 Apr 2022	TO TRANSFER-UPI/DR/211313136045/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694334162093	200.00		746.96
23 Apr 2022	23 Apr 2022	BY TRANSFER-UPI/CR/211368269666/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5099211162093		20.00	766.96
23 Apr 2022	23 Apr 2022	TO TRANSFER-UPI/DR/211317878228/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694375162095	115.00		651.96
23 Apr 2022	23 Apr 2022	TO TRANSFER-UPI/DR/211320594349/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4694310162090	54.00		597.96
24 Apr 2022	24 Apr 2022	TO TRANSFER-UPI/DR/211410358641/SWIGGY/ICIC/upiswiggy@/UPI-	TRANSFER TO 4692686162096	121.00		476.96
24 Apr 2022	24 Apr 2022	TO TRANSFER-UPI/DR/211411358225/RAJENDRA/SBIN/drrppathak/UPI-	TRANSFER TO 5099809162094	51.00		425.96
24 Apr 2022	24 Apr 2022	TO TRANSFER-UPI/DR/211419456627/SanjayG/UTIB/gpay-11190/UPI-	TRANSFER TO 4692674162090	100.00		325.96
25 Apr 2022	25 Apr 2022	TO TRANSFER-UPI/DR/211508291981/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4693852162090	55.00		270.96
25 Apr 2022	25 Apr 2022	TO TRANSFER-UPI/DR/211512513926/MANOJGIRI/BARB/manojgoswa/UPI-	TRANSFER TO 4693788162093	100.00		170.96
25 Apr 2022	25 Apr 2022	BY TRANSFER-UPI/CR/211537814549/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 4899325162090		40.00	210.96
25 Apr 2022	25 Apr 2022	TO TRANSFER-UPI/DR/211517869507/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5097558162092	60.00		150.96
25 Apr 2022	25 Apr 2022	TO TRANSFER-UPI/DR/211518399022/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5097563162096	60.00		90.96
26 Apr 2022	26 Apr 2022	BY TRANSFER-UPI/CR/211631743895/INDRAJEE/SBIN/9810464093/NA-	TRANSFER FROM 5098930162091		1,500.00	1,590.96
26 Apr 2022	26 Apr 2022	TO TRANSFER-UPI/DR/211615971323/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 4693959162090	100.00		1,490.96
26 Apr 2022	26 Apr 2022	TO TRANSFER-UPI/DR/211615972472/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693890162094	200.00		1,290.96
26 Apr 2022	26 Apr 2022	TO TRANSFER-UPI/DR/211615137131/MANOJGIRI/BARB/manojgoswa/UPI-	TRANSFER TO 5099475162091	60.00		1,230.96
26 Apr 2022	26 Apr 2022	TO TRANSFER-UPI/DR/211615321056/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693950162098	60.00		1,170.96
26 Apr 2022	26 Apr 2022	ATM WDL-ATM CASH 4902 HIGH COURT NAINITAL NAINITAL-		500.00		670.96
26 Apr 2022	26 Apr 2022	TO TRANSFER-UPI/DR/211622443539/Zomato/HDFC/zomato@hdf/ZomatoO-	TRANSFER TO 5097599162094	145.80		525.16
27 Apr 2022	27 Apr 2022	TO TRANSFER-UPI/DR/211706642936/RAJENDRA/BKID/boism-9528/Merch-	TRANSFER TO 4692531162093	91.00		434.16
27 Apr 2022	27 Apr 2022	BY TRANSFER-UPI/CR/211723851392/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5098960162096		10.00	444.16
27 Apr 2022	27 Apr 2022	TO TRANSFER-UPI/DR/211713497061/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693978162098	40.00		404.16
27 Apr 2022	27 Apr 2022	TO TRANSFER-UPI/DR/211716284744/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099521162090	140.00		264.16

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
27 Apr 2022	27 Apr 2022	BY TRANSFER-UPI/CR/211735656176/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5099016162095		20.00	284.16
27 Apr 2022	27 Apr 2022	TO TRANSFER-UPI/DR/211717794563/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694029162090	40.00		244.16
27 Apr 2022	27 Apr 2022	TO TRANSFER-UPI/DR/211721828684/Bob Acco/PYTM/paytmqr281/UPI-	TRANSFER TO 4692506162093	60.00		184.16
27 Apr 2022	27 Apr 2022	TO TRANSFER-UPI/DR/211721177285/Sanjay G/UTIB/gpay-11190/UPI-	TRANSFER TO 4692504162095	120.00		64.16
28 Apr 2022	28 Apr 2022	TO TRANSFER-UPI/DR/211809068914/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4694090162095	60.00		4.16
28 Apr 2022	28 Apr 2022	BY TRANSFER-UPI/CR/211818749132/RAJENDRA/SBIN/rp99993960/NA-	TRANSFER FROM 4693366162094		2,000.00	2,004.16
28 Apr 2022	28 Apr 2022	TO TRANSFER-UPI/DR/211812998564/MAYANK B/HDFC/bhattmayan/UPI-	TRANSFER TO 4694141162091	53.00		1,951.16
28 Apr 2022	28 Apr 2022	TO TRANSFER-UPI/DR/211813283267/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099591162097	60.00		1,891.16
28 Apr 2022	28 Apr 2022	TO TRANSFER-UPI/DR/211815975311/MANOJ GIRI/BARB/manojgoswa/UPI-	TRANSFER TO 5099561162093	40.00		1,851.16
28 Apr 2022	28 Apr 2022	TO TRANSFER-UPI/DR/211817591445/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099627162091	60.00		1,791.16
28 Apr 2022	28 Apr 2022	BY TRANSFER-UPI/CR/211899375732/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 4693412162093		20.00	1,811.16
28 Apr 2022	28 Apr 2022	TO TRANSFER-UPI/DR/211818241772/RAJENDRA/BKID/rajubisht9/UPI-	TRANSFER TO 5097864162094	186.00		1,625.16
28 Apr 2022	28 Apr 2022	TO TRANSFER-UPI/DR/211818468542/Swiggy/UTIB/swiggyupi@/Swiggy-	TRANSFER TO 5097821162094	442.00		1,183.16
28 Apr 2022	28 Apr 2022	TO TRANSFER-UPI/DR/211820811315/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4898874162090	80.00		1,103.16
29 Apr 2022	29 Apr 2022	TO TRANSFER-UPI/DR/211908016461/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4694274162099	56.00		1,047.16
29 Apr 2022	29 Apr 2022	TO TRANSFER-UPI/DR/211911493615/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 5099652162090	56.00		991.16
29 Apr 2022	29 Apr 2022	ATM WDL-ATM CASH 5582 HIGH COURT NAINITAL NAINITAL-		500.00		491.16
29 Apr 2022	29 Apr 2022	TO TRANSFER-UPI/DR/211974149959/Paytm Me/PYTM/paytm-8736/Oid17-	TRANSFER TO 4692589162096	100.00		391.16
30 Apr 2022	30 Apr 2022	TO TRANSFER-UPI/DR/212008948892/NarangS/PYTM/paytmqr281/UPI-	TRANSFER TO 4692652162095	25.00		366.16
30 Apr 2022	30 Apr 2022	TO TRANSFER-UPI/DR/212011996693/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 5098055162095	20.00		346.16
30 Apr 2022	30 Apr 2022	TO TRANSFER-UPI/DR/212018244658/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 5099756162092	60.00		286.16
30 Apr 2022	30 Apr 2022	TO TRANSFER-UPI/DR/212019903829/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 4694320162098	20.00		266.16
30 Apr 2022	30 Apr 2022	BY TRANSFER-UPI/CR/212071480157/SHWETA /SBIN/shwetakuma/NA-	TRANSFER FROM 5098709162095		1,000.00	1,266.16
30 Apr 2022	30 Apr 2022	TO TRANSFER-UPI/DR/212020705407/SUGAM CH/UBIN/sugamchauh/UPI-	TRANSFER TO 4694372162098	500.00		766.16

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
30 Apr 2022	30 Apr 2022	TO TRANSFER-UPI/DR/212020642925/Omgener/PYTM/paytmqr281/UPI-	TRANSFER TO 5097970162092	42.00		724.16
1 May 2022	1 May 2022	TO TRANSFER-UPI/DR/212023085753/ZomatoLtd/PYTM/zomato-ord/Zom-	TRANSFER TO 4692663162093	136.25		587.91
1 May 2022	1 May 2022	TO TRANSFER-UPI/DR/212106166052/SANTOSH /YESB/q838020338/UPI-	TRANSFER TO 5098095162098	40.00		547.91
1 May 2022	1 May 2022	TO TRANSFER-UPI/DR/212108186699/SANTOSH /YESB/q838020338/UPI-	TRANSFER TO 4692682162090	20.00		527.91
1 May 2022	1 May 2022	TO TRANSFER-UPI/DR/212111049525/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 4694423162092	30.00		497.91
1 May 2022	1 May 2022	TO TRANSFER-UPI/DR/212120341088/Mukesh k/PYTM/paytmqr281/UPI-	TRANSFER TO 5098108162098	20.00		477.91
1 May 2022	1 May 2022	TO TRANSFER-UPI/DR/212122716523/ANILKUMAR/PYTM/paytmqr281/UPI-	TRANSFER TO 4692690162099	74.00		403.91
2 May 2022	2 May 2022	TO TRANSFER-UPI/DR/212208917260/Manjesh /PYTM/paytmqr281/UPI-	TRANSFER TO 5097504162095	36.00		367.91
2 May 2022	2 May 2022	BY TRANSFER-UPI/CR/212203534642/MANJUPA/UTIB/9868141089/NA-	TRANSFER FROM 5098817162092		350.00	717.91
2 May 2022	2 May 2022	TO TRANSFER-UPI/DR/212210576390/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 5099401162097	74.00		643.91
2 May 2022	2 May 2022	TO TRANSFER-UPI/DR/212211223944/SHIVAM P/PYTM/9013475875/NA-	TRANSFER TO 5099375162095	200.00		443.91
2 May 2022	2 May 2022	TO TRANSFER-UPI/DR/212221343455/PaytmMe/PYTM/paytm-8736/Oid17-	TRANSFER TO 5097531162093	200.00		243.91
2 May 2022	2 May 2022	TO TRANSFER-UPI/DR/212220462537/AarushP/PYTM/paytmqr281/UPI-	TRANSFER TO 4692451162093	190.00		53.91
3 May 2022	3 May 2022	BY TRANSFER-UPI/CR/212340035992/INDRAJEE/PYTM/9810464093/NA-	TRANSFER FROM 4693182162091		54.00	107.91
3 May 2022	3 May 2022	TO TRANSFER-UPI/DR/212340472534/KISHAN C/PUNB/Q794398937/NA-	TRANSFER TO 5099414162093	36.00		71.91
3 May 2022	3 May 2022	TO TRANSFER-UPI/DR/212354018632/KISHAN C/PUNB/Q794398937/NA-	TRANSFER TO 5097668162098	18.00		53.91
4 May 2022	4 May 2022	BY TRANSFER-UPI/CR/212401589105/Paytm/PYTM/walletmone/NA-	TRANSFER FROM 4693213162099		1,000.00	1,053.91
4 May 2022	4 May 2022	BY TRANSFER-UPI/CR/212470502874/SHAHNAWA/PUNB/shanawazkh/UPI-	TRANSFER FROM 4693272162099		250.00	1,303.91
4 May 2022	4 May 2022	TO TRANSFER-UPI/DR/212408501734/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4694058162095	86.00		1,217.91
4 May 2022	4 May 2022	TO TRANSFER-UPI/DR/212413171096/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694010162090	110.00		1,107.91
4 May 2022	4 May 2022	TO TRANSFER-UPI/DR/212416836536/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099524162097	40.00		1,067.91
4 May 2022	4 May 2022	TO TRANSFER-UPI/DR/212417585266/KAWALMA/PYTM/paytmqr281/UPI-	TRANSFER TO 5097739162098	80.00		987.91
4 May 2022	4 May 2022	TO TRANSFER-UPI/DR/212418759388/SanjayG/UTIB/gpay-11190/UPI-	TRANSFER TO 4692504162095	140.00		847.91

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4 May 2022	4 May 2022	TO TRANSFER-UPI/DR/212420739129/Razorpay/ICIC/zomatoindi/Zomat-	TRANSFER TO 4692530162093	252.00		595.91
5 May 2022	5 May 2022	TO TRANSFER-UPI/DR/212508846237/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 5099625162093	86.00		509.91
5 May 2022	5 May 2022	TO TRANSFER-UPI/DR/212510632875/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694155162095	70.00		439.91
5 May 2022	5 May 2022	BY TRANSFER-UPI/CR/212587138733/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 4693335162090		20.00	459.91
5 May 2022	5 May 2022	TO TRANSFER-UPI/DR/212517307664/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4694104162095	110.00		349.91
5 May 2022	5 May 2022	TO TRANSFER-UPI/DR/212518391722/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4694118162090	106.00		243.91
5 May 2022	5 May 2022	BY TRANSFER-UPI/CR/212579407796/INDRAJEE/PYTM/9810464093/NA-	TRANSFER FROM 4693369162091		1,000.00	1,243.91
5 May 2022	5 May 2022	TO TRANSFER-UPI/DR/212520229977/SHAILABH/UCBA/shailabhpa/UPI-	TRANSFER TO 5099610162099	550.00		693.91
5 May 2022	5 May 2022	TO TRANSFER-UPI/DR/212520513363/Sunilpant/PYTM/paytmqr281/UPI-	TRANSFER TO 4692567162092	170.00		523.91
6 May 2022	6 May 2022	TO TRANSFER-UPI/DR/212609075240/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 5099646162098	56.00		467.91
6 May 2022	6 May 2022	TO TRANSFER-UPI/DR/212613976770/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5097962162093	110.00		357.91
6 May 2022	6 May 2022	TO TRANSFER-UPI/DR/212615914611/HARSHVAR/SBIN/sharmahars/UPI-	TRANSFER TO 4694279162094	100.00		257.91
6 May 2022	6 May 2022	TO TRANSFER-UPI/DR/212616513706/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5097941162097	40.00		217.91
6 May 2022	6 May 2022	BY TRANSFER-UPI/CR/212616261536/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 4693463162093		20.00	237.91
6 May 2022	6 May 2022	TO TRANSFER-UPI/DR/212618556343/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4897678162092	40.00		197.91
6 May 2022	6 May 2022	TO TRANSFER-UPI/DR/212619441314/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 5097964162091	61.00		136.91
6 May 2022	6 May 2022	BY TRANSFER-UPI/CR/212619136835/SHAILABH/UCBA/shailabhpa/UPI-	TRANSFER FROM 5099116162092		1,000.00	1,136.91
6 May 2022	6 May 2022	BY TRANSFER-UPI/CR/212619212178/SHAILABH/UCBA/shailabhpa/UPI-	TRANSFER FROM 5099129162097		300.00	1,436.91
6 May 2022	6 May 2022	BY TRANSFER-UPI/CR/212666823450/VINAYSE/PYTM/9555959436/NA-	TRANSFER FROM 4899366162092		500.00	1,936.91
6 May 2022	6 May 2022	TO TRANSFER-UPI/DR/212619565525/RAJARAT/KKBK/mswipe.140/UPI-	TRANSFER TO 5097878162098	1,700.00		236.91
6 May 2022	6 May 2022	TO TRANSFER-UPI/DR/212620717125/DEVESH P/ICIC/deveshpand/UPI-	TRANSFER TO 4694293162096	200.00		36.91
7 May 2022	7 May 2022	BY TRANSFER-UPI/CR/212703369985/RAJENDRA/SBIN/rp99993960/NA-	TRANSFER FROM 4898992162095		6,000.00	6,036.91
7 May 2022	7 May 2022	TO TRANSFER-UPI/DR/212711517971/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099730162091	80.00		5,956.91
7 May 2022	7 May 2022	BY TRANSFER-UPI/CR/212799478158/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5098705162099		20.00	5,976.91

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7 May 2022	7 May 2022	TO TRANSFER-UPI/DR/212713983706/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 5099731162091	60.00		5,916.91
7 May 2022	7 May 2022	TO TRANSFER-UPI/DR/212757875979/ARJUNRE/PYTM/9899996737/NA-	TRANSFER TO 4694406162092	525.00		5,391.91
7 May 2022	7 May 2022	TO TRANSFER-UPI/DR/212720417564/HARSHVAR/SBIN/sharmahars/UPI-	TRANSFER TO 5099717162099	3,425.00		1,966.91
7 May 2022	7 May 2022	TO TRANSFER-UPI/DR/212721352018/RUCHIR SAH/HDFC/q802993239/UPI-	TRANSFER TO 4898914162098	220.00		1,746.91
7 May 2022	7 May 2022	TO TRANSFER-UPI/DR/212721393095/HARSHVAR/SBIN/sharmahars/UPI-	TRANSFER TO 4898914162098	1,000.00		746.91
8 May 2022	8 May 2022	TO TRANSFER-UPI/DR/212817114102/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4694428162097	66.00		680.91
8 May 2022	8 May 2022	TO TRANSFER-UPI/DR/212819850483/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4694435162098	54.00		626.91
8 May 2022	8 May 2022	TO TRANSFER-UPI/DR/212820389819/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4898920162099	90.00		536.91
8 May 2022	8 May 2022	TO TRANSFER-UPI/DR/212822191749/Shiva Pu/PYTM/paytmqr281/UPI-	TRANSFER TO 4692668162098	440.00		96.91
9 May 2022	9 May 2022	TO TRANSFER-UPI/DR/212909780423/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693821162097	70.00		26.91
9 May 2022	9 May 2022	BY TRANSFER-UPI/CR/212983424992/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 4899328162097		20.00	46.91
9 May 2022	9 May 2022	BY TRANSFER-UPI/CR/212935757136/Paytm/PYTM/walletmone/NA-	TRANSFER FROM 4898945162091		66.00	112.91
9 May 2022	9 May 2022	TO TRANSFER-UPI/DR/212935816868/Add Mone/PYTM/add-money@/Oid18-	TRANSFER TO 4692421162099	100.00		12.91
10 May 2022	10 May 2022	BY TRANSFER-UPI/CR/213001496414/SUGAM CH/UBIN/sugamchauh/UPI-	TRANSFER FROM 5098323162093		1,500.00	1,512.91
10 May 2022	10 May 2022	by debit card-OTHPG 213007195519PAYTM Noida-		463.81		1,049.10
10 May 2022	10 May 2022	TO TRANSFER-UPI/DR/213007069413/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4693954162095	84.00		965.10
10 May 2022	10 May 2022	BY TRANSFER-UPI/CR/213007376350/SHWETA /SBIN/shwetakuma/NA-	TRANSFER FROM 4693180162092		2,500.00	3,465.10
10 May 2022	10 May 2022	TO TRANSFER-UPI/DR/213010989896/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693948162093	70.00		3,395.10
10 May 2022	10 May 2022	TO TRANSFER-UPI/DR/213012785082/NARESH S/BARB/nareshchau/UPI-	TRANSFER TO 5099439162094	2,560.00		835.10
10 May 2022	10 May 2022	TO TRANSFER-UPI/DR/213013300436/CHANDAN /PUNB/amzn000752/UPI-	TRANSFER TO 4693900162097	20.00		815.10
10 May 2022	10 May 2022	TO TRANSFER-UPI/DR/213014381352/ANAMUS/SBIN/usmani7ana/UPI-	TRANSFER TO 4693908162090	100.00		715.10
10 May 2022	10 May 2022	TO TRANSFER-UPI/DR/213018192271/KANISHKA/PUNB/kanishkabi/UPI-	TRANSFER TO 4693860162090	154.00		561.10
10 May 2022	10 May 2022	ATM WDL-ATM CASH 21301 WUP AND UTTARAKHAND NAINITAL-		500.00		61.10

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12 May 2022	12 May 2022	TO TRANSFER-UPI/DR/213204892300/SHIVAM P/PYTM/9013475875/NA-	TRANSFER TO 4694189162096	20.00		41.10
12 May 2022	12 May 2022	TO TRANSFER-UPI/DR/213220126747/Aarush P/PYTM/paytmqr281/UPI-	TRANSFER TO 4692558162092	36.00		5.10
13 May 2022	13 May 2022	BY TRANSFER-NEFT*RBIS0GOUKEP*RBI1342250869888*Nainital*OP36004-	TRANSFER FROM 3199681044308		31,500.00	31,505.10
13 May 2022	13 May 2022	TO TRANSFER-UPI/DR/213317105305/SUGAM CH/UBIN/sugamchauh/UPI-	TRANSFER TO 4694242162096	2,500.00		29,005.10
13 May 2022	13 May 2022	TO TRANSFER-UPI/DR/213317109068/INDRAJEE/SBIN/indrajeetp/UPI-	TRANSFER TO 4694190162092	5,000.00		24,005.10
13 May 2022	13 May 2022	TO TRANSFER-UPI/DR/213320423945/DEVBUX S/PYTM/q746515916/UPI-	TRANSFER TO 5097964162091	18.00		23,987.10
13 May 2022	13 May 2022	TO TRANSFER-UPI/DR/213320580053/VINAYSE/PYTM/9555959436/UPI-	TRANSFER TO 4897676162094	500.00		23,487.10
14 May 2022	14 May 2022	TO TRANSFER-UPI/DR/213409184043/Rapido/ICIC/rapido.rzp/UPI Pay-	TRANSFER TO 5097997162092	228.00		23,259.10
14 May 2022	14 May 2022	TO TRANSFER-UPI/DR/213421988116/SUGAM CH/UBIN/sugamchauh/UPI-	TRANSFER TO 4694342162093	205.00		23,054.10
14 May 2022	14 May 2022	TO TRANSFER-UPI/DR/213423729100/sureshk/PYTM/paytmqr281/UPI-	TRANSFER TO 5098109162097	54.00		23,000.10
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213510239897/KISHAN C/PUNB/q605414315/UPI-	TRANSFER TO 5099816162096	56.00		22,944.10
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213510509322/Quickcu/PYTM/paytmqr281/UPI-	TRANSFER TO 5098076162091	70.00		22,874.10
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213512673443/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER TO 4694506162098	1,082.00		21,792.10
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213515522687/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 5099829162091	38.00		21,754.10
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213515528066/RoppenT/HDFC/roppen.raz/Rapid-	TRANSFER TO 5098084162091	100.00		21,654.10
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213519207109/ChilisV/PYTM/paytmqr281/UPI-	TRANSFER TO 5098106162090	4,278.95		17,375.15
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213520039498/SANDEEP /FDRL/bharatpe.9/Pay t-	TRANSFER TO 5098077162090	54.00		17,321.15
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213521858008/VIJAYKU/SBIN/q006193628/UPI-	TRANSFER TO 4694410162096	28.00		17,293.15
15 May 2022	15 May 2022	TO TRANSFER-UPI/DR/213522481384/RajuPan/PYTM/paytmqr281/UPI-	TRANSFER TO 5098086162099	46.00		17,247.15
15 May 2022	15 May 2022	BY TRANSFER-UPI/CR/213514975200/MUSKAN M/PUNB/muskan.mah/UPI-	TRANSFER FROM 5098872162096		2,000.00	19,247.15
16 May 2022	16 May 2022	ATM WDL-ATM CASH 21360 +DWARKA SEC 11 BR DELHI-		1,000.00		18,247.15
16 May 2022	16 May 2022	TO TRANSFER-UPI/DR/213608324282/RoppenT/HDFC/roppen.raz/Rapid-	TRANSFER TO 5097514162094	300.00		17,947.15
16 May 2022	16 May 2022	BY TRANSFER-UPI/CR/213641625007/NIDHIBH/UBIN/nidhi.bhad/Payme-	TRANSFER FROM 4899330162092		775.00	18,722.15
16 May 2022	16 May 2022	TO TRANSFER-UPI/DR/213680009634/PaytmMe/PYTM/paytm-8736/Oid18-	TRANSFER TO 4898277162099	500.00		18,222.15

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
16 May 2022	16 May 2022	TO TRANSFER-UPI/DR/213622788851/AarushP/PYTM/paytmqr281/UPI-	TRANSFER TO 5097545162097	46.00		18,176.15
18 May 2022	18 May 2022	TO TRANSFER-UPI/DR/213800736618/Rapido/UTIB/rapido.rzp/UPI Pay-	TRANSFER TO 4692530162093	264.00		17,912.15
18 May 2022	18 May 2022	TO TRANSFER-UPI/DR/213812846489/RAMACHA/PYTM/paytmqr281/UPI-	TRANSFER TO 4898740162092	20.00		17,892.15
18 May 2022	18 May 2022	ATM WDL-ATM CASH 21382 +KAILASH COLONY BR SOUTH DELHI-		500.00		17,392.15
18 May 2022	18 May 2022	TO TRANSFER-UPI/DR/213823224957/BRYANBINU/UTIB/fuzegaming/UPI-	TRANSFER TO 4694147162095	500.00		16,892.15
19 May 2022	19 May 2022	TO TRANSFER-UPI/DR/213907565829/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 4694095162091	18.00		16,874.15
19 May 2022	19 May 2022	TO TRANSFER-UPI/DR/213921886435/surajkumar/PYTM/paytmqr281/UPI-	TRANSFER TO 4692543162099	80.00		16,794.15
20 May 2022	20 May 2022	TO TRANSFER-UPI/DR/214008226848/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 5099637162099	18.00		16,776.15
20 May 2022	20 May 2022	by debit card-OTHPOS214011359126DELHI METRO RAIL CORPONEW DELHI-		500.00		16,276.15
20 May 2022	20 May 2022	TO TRANSFER-UPI/DR/214022086785/OLACABS/UTIB/olacabs1@a/UPI-	TRANSFER TO 4692594162099	599.00		15,677.15
21 May 2022	21 May 2022	TO TRANSFER-UPI/DR/214100930493/BRYANBINU/UTIB/fuzegaming/UPI-	TRANSFER TO 4694305162097	1,200.00		14,477.15
21 May 2022	21 May 2022	TO TRANSFER-UPI/DR/214108656597/KISHAN C/PUNB/q605414315/UPI-	TRANSFER TO 4694381162097	18.00		14,459.15
21 May 2022	21 May 2022	TO TRANSFER-UPI/DR/214108601945/PaytmMe/PYTM/paytm-8736/Oid18-	TRANSFER TO 4692629162094	200.00		14,259.15
21 May 2022	21 May 2022	TO TRANSFER-UPI/DR/214113261331/PRACHI J/UTIB/jainprachi/UPI-	TRANSFER TO 5099759162099	130.00		14,129.15
21 May 2022	21 May 2022	TO TRANSFER-UPI/DR/214120705028/SUGAM CH/UBIN/sugamchauh/UPI-	TRANSFER TO 5099734162098	500.00		13,629.15
21 May 2022	21 May 2022	TO TRANSFER-UPI/DR/214122070306/Raju Tea/PYTM/paytmqr281/UPI-	TRANSFER TO 5097996162093	72.00		13,557.15
22 May 2022	22 May 2022	TO TRANSFER-UPI/DR/214210322752/KISHAN C/PUNB/q794398937/UPI-	TRANSFER TO 4694481162093	18.00		13,539.15
22 May 2022	22 May 2022	TO TRANSFER-UPI/DR/214217849242/KISHAN C/PUNB/q605414315/UPI-	TRANSFER TO 4694425162090	18.00		13,521.15
22 May 2022	22 May 2022	TO TRANSFER-UPI/DR/214219330561/AshuSac/UTIB/gpay-11193/UPI-KLNG	TRANSFER TO 5098089162096 / KLNG	16.00		13,505.15
22 May 2022	22 May 2022	TO TRANSFER-UPI/DR/214219416962/KISHAN C/PUNB/q794398937/UPI-Manimegalai Enterprises	TRANSFER TO 5098136162095 / Manimegalai Enterprises	56.00		13,449.15
22 May 2022	22 May 2022	ATM WDL-ATM CASH 21422 +DWARKA SEC 11 BR DELHI-		500.00		12,949.15
22 May 2022	22 May 2022	TO TRANSFER-UPI/DR/214222400774/SWIGGY/ICIC/upiswiggy@/UPI-	TRANSFER TO 4692675162099	607.00		12,342.15
23 May 2022	23 May 2022	TO TRANSFER-UPI/DR/214314125622/JAGDISH /HDFC/jagdishsto/UPI-Dipak	TRANSFER TO 5097538162096 / Dipak	20.00		12,322.15

Txn Date	Value Date	Description	Ref No./Cheque No.	Debit	Credit	Balance
23 May 2022	23 May 2022	by debit card-OTHPG 214320507635PAYTM Noida-		350.00		11,972.15
23 May 2022	23 May 2022	by debit card-OTHPG 214320517395PAYTM Noida-		350.00		11,622.15
24 May 2022	24 May 2022	TO TRANSFER-UPI/DR/214414156913/Paytm Ai/PYTM/payair7673/Oid18-Mahendra BOI	TRANSFER TO 5097600162095 / Mahendra BOI	17.00		11,605.15
24 May 2022	24 May 2022	TO TRANSFER-UPI/DR/214421333513/OLACABS/UTIB/olacabs1@a/UPI-Samala Gautam	TRANSFER TO 5097636162095 / Samala Gautam	103.00		11,502.15
24 May 2022	24 May 2022	BY TRANSFER-UPI/CR/214456322536/OLACABS/UTIB/olacabs2@a/Refund-	TRANSFER FROM 4693110162095		103.00	11,605.15
24 May 2022	24 May 2022	TO TRANSFER-UPI/DR/214422711396/Raju Pan/PYTM/paytmqr281/UPI-Richa	TRANSFER TO 4692497162090 / Richa	28.00		11,577.15

The count of transactions for the selected date range exceeds 299. Please select a shorter date range for the account statement.

Please do not share your ATM, Debit/Credit card number, PIN (Personal Identification Number) and OTP (One Time Password) with anyone over mail, SMS, phone call or any other media. Bank never asks for such information.

**This is a computer generated statement and does not require a signature.

Annexure 5

Mrs. Manju Pathak
104 Pocket-3
Dwarka Sector 19 South West Delhi Delhi 110075

Jio Number 8368039384
Account Number 800014126553

Statement Date 01-Aug-2025
Statement Time 15:51:35

Security Deposit ₹ 0.00

Registered Mobile : +918368039384 | Aadhaar Number : XXXX XXXX 8647 | E-mail : drrppathak@gmail.com

Account Usage and Recharge Statement from 01-Jun-2025 to 30-Jun-2025

Refer following pages for details of charges

		Volume / Duration	Amount(₹)	Amount (₹)
1	Plan Recharges			0.00
2	Usage Charges			
	Off-Net / Premium / ISD & IR Calling	00:00:00	0.00	
	SMS	0	0.00	
	Data			
	4G Data/WIFI	0.000 GB	0.00	
	5G Data	0.000 GB	0.00	
	VAS	0	0.00	0.00
3	Add On Packs			0.00
4	Other Purchases			0.00
5	Credit & Adjustments			0.00

Total Usage Summary

	Total Usage	Chargeable Usage	Chargeable Amount (₹)
Voice Local	00:00:00	00:00:00	0.00
Voice STD	00:00:00	00:00:00	0.00
Premium / ISD & IR Calling	00:00:00	00:00:00	0.00
SMS	0	0	0.00
Data	0.000 GB	0.000 GB	0.00
4G Data/WIFI	0.000 GB	0.000 GB	0.00
5G Data	0.000 GB	0.000 GB	0.00
VAS	0	0	0.00

Recharge Option

Jio Auto Pay

Credit Card /

Set Auto Recharge through MyJio App.
Download the MyJio App from Play Store or App Store

Bank -(EBPP)

Register Jio with your bank for an auto recharge presentment and payment mandate via MyJio app.

Bank - (Direct Debit)

Visit the nearest Jio store to set ACH mandate on your bank account.

Jio Self Care

My Jio & Jio.com

Recharge using credit / debit card or net banking on My Jio App or visit www. Jio.com and click on Quick recharge. Download the app from Play Store or App Store

Jio Store

Cash / Credit / Debit

Walk into a Jio Store and recharge by cash,
Credit card or debit card.

Reach Us

Call **199** (from a Jio number) or **1800-88-99999** (from other networks) | Write to care@jio.com | Manage your world of Jio with MyJio app | Visit www.jio.com

Registered Office: Reliance Jio Infocomm Limited
Office-101, Saffron, Nr.Centre Point, Panchwati 5 Rasta,
Ambawadi, Ahmedabad-380006, Gujarat, India
CIN: U72900GJ2007PLC105869

State Office: Reliance Jio Infocomm Limited
Building No 4, R K - 4 Square, DLF Cyber City, Phase-II
Gurgaon 122002, Haryana

PAN: AABCI6363G

Mrs. Manju Pathak | Jio Number : 8368039384 | Statement Date : 01-Aug-2025

Your Jio Plan Details

As On Date : 01-Aug-2025

	Current Plan	Valid Till
1	Rs 299_28D_1.5GB/D - Benefits: Unlimited Data - 42gb(1.5gb/day 4g/5g Data), Unlimited Voice, 100 Sms/day & Subscription To Jio Apps. Validity - 28 Days	10-AUG-25

Important Information

Tariff & Plans

1. There will be no increase in any tariff item (except ISD) till six months from the date of your enrolment to the plan. Thereafter, Reliance Jio Infocomm Limited ("RJIL") reserves the right to revise the terms & condition applicable to tariff plans.
2. RJIL reserves the right to vary the penal charge rates periodically, as well as take recourse to any other action available and considered appropriate, subject to Telecom Regulatory Authority of India (TRAI) regulations.
3. As per TRAI regulations, tariff is charged basis the duration of the call rounded up to + / - 1 second, traceable to an appropriate time reference.
4. For billing, usage will be rounded up to the next higher pulse. For example, if you are on 30 sec/pulse billing plan, a 31sec call will be as 2 pulses. Similarly, if your data plan is billed on 10 KB/pulse, usage of 11 KB would be billed as 2 pulses.
5. No migration fee is chargeable for changing tariff plan.
6. No charge will be levied for any service without your explicit consent.
7. In case you are on an unlimited data plan, post consumption of your allocated data limit, you will experience a downgrade in speed as per Fair Usage Policy.

DND (Do Not Disturb) Service

1. You can opt for Full DND if you do not wish to receive any promotional calls/SMS, To activate Full DND, SMS 'START <0>' to 1909. Full DND will override any other category you may have selected.
2. To allow promotional SMS only from selected categories, SMS 'START <preferred category no.>' to 1909.
   Categories and associated numbers are:
   1 - Banking / Insurance / Financial Products / Credit Cards; 2 - Real Estate;
   3 - Education; 4 - Health; 5 - Consumer Goods / Automobiles;
   6 - Communication / Broadcasting / Entertainment / IT; 7 -Tourism & Leisure

Charges

1. Any disagreement on charges levied should be informed within 60 failing which all charges will be considered valid.
2. Itemized statement will be charged ₹ 50 per printed copy (Itemized statement contain the details of all voice calls, SMS, VAS charges, data charges, premium rate services and roaming charges).

Complaints & Services Request

Visit www.jio.com, login with your Jio ID and password; click on 'Service Request' option under Profile menu to raise a complaint. To track the status of your existing complaint, use your unique Service Request Number.
You can also call 198 (toll-free) from your Jio number or 1800 889 9999 from other networks to register your service request / complaint.

Appellate Authority
In case you are unsatisfied with the response on a complaint, you can contact the regional appellate authority with your complaint docket number.
Email: appellate.del@jio.com, Telephone number: 1800-889-3999
Fax : 1800-889-1211 , Address: Reliance Jio Infocomm Limited R K - 4 Square, Building No 4 DLF Cyber City, Phase-II Gurgaon 122002 Haryana
(Working hours: Mon-Fri, 10:30 am to 6:00 pm)

airtel

Your Details

Name	RAJENDRA PATHAK
Invoice No	20250917004289
Mobile No	9910518386
Month	June, 2025

Your Itemized Statement

VOICE

S.No.	Date	Time	Number	Duration(sec)	Amount(Rs)
1	01-06-2025	07:44:43	9810464093	6	0.00
2	01-06-2025	09:01:31	9837736217	94	0.00
3	01-06-2025	10:45:34	9897075848	109	0.00
4	01-06-2025	11:20:11	9897075848	16	0.00
5	01-06-2025	12:37:52	9810464093	24	0.00
6	01-06-2025	13:10:37	7618297804	8	0.00
7	01-06-2025	13:23:16	9690566434	88	0.00
8	01-06-2025	13:25:06	9899853720	107	0.00
9	01-06-2025	13:29:45	9897075848	25	0.00
10	01-06-2025	13:30:51	9810464093	6	0.00
11	01-06-2025	13:48:13	9897075848	67	0.00
12	01-06-2025	14:15:14	9058705995	22	0.00
13	01-06-2025	14:15:44	8810450433	15	0.00
14	01-06-2025	15:45:51	9336346173	135	0.00
15	01-06-2025	17:15:34	9690566434	145	0.00
16	01-06-2025	17:18:43	9810464093	7	0.00
17	01-06-2025	17:38:18	9758063255	10	0.00
18	01-06-2025	17:38:49	9758063255	12	0.00
19	01-06-2025	17:39:14	9758063255	5	0.00
20	01-06-2025	18:08:32	9897075848	31	0.00
21	01-06-2025	18:52:14	9639336944	4	0.00
22	01-06-2025	19:42:17	15100	162	0.00
23	01-06-2025	21:04:41	7251829027	42	0.00
24	01-06-2025	21:26:13	8800221307	121	0.00
25	01-06-2025	21:44:06	7251829027	54	0.00
26	02-06-2025	07:14:21	9810464093	12	0.00
27	02-06-2025	10:06:28	1352608444	43	0.00
28	02-06-2025	10:08:12	9868141089	80	0.00
29	02-06-2025	11:04:15	8868965101	298	0.00
30	02-06-2025	11:10:50	7827412316	3	0.00

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Your Itemized Statement

31	02-06-2025	11:14:59	7827412316	44	0.00
32	02-06-2025	11:19:27	9810054662	207	0.00
33	02-06-2025	12:55:54	9454404033	42	0.00
34	02-06-2025	13:36:47	9837736217	67	0.00
35	02-06-2025	13:55:28	9810464093	5	0.00
36	02-06-2025	14:06:18	9837736217	65	0.00
37	02-06-2025	14:24:13	9837736217	248	0.00
38	02-06-2025	16:08:11	9810054662	7	0.00
39	02-06-2025	16:13:03	8962189723	29	0.00
40	02-06-2025	16:13:53	9999015454	15	0.00
41	02-06-2025	16:14:37	9999015454	39	0.00
42	02-06-2025	16:15:59	9582415174	323	0.00
43	02-06-2025	17:09:11	9837736217	4	0.00
44	02-06-2025	17:26:51	7570940016	109	0.00
45	02-06-2025	17:56:28	7570940016	242	0.00
46	03-06-2025	09:15:07	9897075848	46	0.00
47	03-06-2025	09:17:46	9897075848	21	0.00
48	03-06-2025	09:24:51	9897075848	24	0.00
49	03-06-2025	10:13:51	9690566434	3	0.00
50	03-06-2025	10:40:47	9837736217	124	0.00
51	03-06-2025	11:18:31	8800221307	40	0.00
52	03-06-2025	11:28:24	9837736217	3	0.00
53	03-06-2025	12:47:22	8126774374	198	0.00
54	03-06-2025	12:51:29	9897075848	13	0.00
55	03-06-2025	12:52:09	9639909432	36	0.00
56	03-06-2025	12:53:16	7895646179	93	0.00
57	03-06-2025	13:17:36	9897075848	17	0.00
58	03-06-2025	13:58:13	8126774374	31	0.00
59	03-06-2025	18:22:17	9999396006	63	0.00
60	03-06-2025	20:36:41	9899783949	154	0.00
61	03-06-2025	22:21:43	9837736217	141	0.00
62	04-06-2025	09:27:05	9868141089	42	0.00
63	04-06-2025	10:54:46	9818341656	150	0.00
64	04-06-2025	11:19:55	9910728882	4	0.00
65	04-06-2025	11:55:39	9818341656	137	0.00
66	04-06-2025	12:21:04	8126774374	79	0.00
67	04-06-2025	12:34:46	9639909432	36	0.00
68	04-06-2025	17:00:58	9639336944	3	0.00
69	04-06-2025	17:05:43	9897075848	25	0.00
70	04-06-2025	17:07:14	9810464093	8	0.00
71	04-06-2025	21:54:54	9810464093	123	0.00

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Your Itemized Statement

72	05-06-2025	08:37:05	9810464093	6	0.00
73	05-06-2025	09:53:25	9837736217	26	0.00
74	05-06-2025	10:15:26	9868141089	6	0.00
75	05-06-2025	10:27:56	7531807517	168	0.00
76	05-06-2025	11:14:39	9837736217	52	0.00
77	05-06-2025	14:53:40	9897075848	12	0.00
78	05-06-2025	15:25:46	9837736217	56	0.00
79	05-06-2025	16:08:51	9818341656	124	0.00
80	05-06-2025	16:11:13	9818341656	42	0.00
81	05-06-2025	16:18:25	9818341656	84	0.00
82	05-06-2025	17:24:54	9818341656	31	0.00
83	05-06-2025	17:28:03	9868141089	158	0.00
84	05-06-2025	17:45:10	9897075848	22	0.00
85	05-06-2025	18:10:51	8810450433	97	0.00
86	05-06-2025	18:43:38	9837736217	181	0.00
87	05-06-2025	18:46:51	8810450433	70	0.00
88	05-06-2025	19:18:32	9639336944	89	0.00
89	05-06-2025	19:41:22	9910587372	11	0.00
90	05-06-2025	20:25:21	9818341656	50	0.00
91	06-06-2025	08:03:31	9818341656	13	0.00
92	06-06-2025	09:25:23	7570940016	60	0.00
93	06-06-2025	09:40:46	9818341656	68	0.00
94	06-06-2025	09:42:42	9818341656	46	0.00
95	06-06-2025	10:52:23	8810450433	47	0.00
96	06-06-2025	11:39:27	9818341656	25	0.00
97	06-06-2025	11:40:31	9910587372	11	0.00
98	06-06-2025	12:18:56	9818341656	138	0.00
99	06-06-2025	13:04:06	9899853720	23	0.00
100	06-06-2025	13:23:41	9899853720	11	0.00
101	06-06-2025	13:44:08	9899853720	9	0.00
102	06-06-2025	16:45:00	9837736217	101	0.00
103	06-06-2025	16:57:14	9639909432	33	0.00
104	06-06-2025	16:58:54	9810464093	27	0.00
105	07-06-2025	12:18:52	9810464093	178	0.00
106	07-06-2025	13:35:07	9971449765	173	0.00
107	07-06-2025	15:09:36	9910587372	132	0.00
108	07-06-2025	21:04:38	9540433790	137	0.00
109	08-06-2025	10:12:56	9999396006	14	0.00
110	08-06-2025	13:08:05	7251829027	18	0.00
111	08-06-2025	14:52:15	9557529285	38	0.00
112	08-06-2025	16:14:31	9888409232	17	0.00

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113	08-06-2025	16:28:21	9557529285	37	0.00
114	08-06-2025	16:42:45	9454404033	34	0.00
115	08-06-2025	21:57:36	9557529285	80	0.00
116	09-06-2025	09:04:11	9837736217	18	0.00
117	09-06-2025	11:37:39	7251829027	44	0.00
118	09-06-2025	12:17:54	9897075848	14	0.00
119	09-06-2025	12:31:55	9999396006	42	0.00
120	09-06-2025	13:22:35	7251829027	51	0.00
121	09-06-2025	15:25:54	9888409232	72	0.00
122	09-06-2025	16:39:04	9868141089	9	0.00
123	09-06-2025	18:26:15	7251829027	17	0.00
124	09-06-2025	18:40:21	9837736217	13	0.00
125	09-06-2025	19:43:21	9868141089	302	0.00
126	10-06-2025	09:01:47	7531807517	63	0.00
127	10-06-2025	12:16:52	9810464093	33	0.00
128	10-06-2025	12:23:01	9888409232	17	0.00
129	10-06-2025	15:09:49	7531807517	79	0.00
130	11-06-2025	10:54:13	9810464093	11	0.00
131	11-06-2025	12:38:51	9837736217	4	0.00
132	11-06-2025	13:53:49	9999396006	16	0.00
133	11-06-2025	14:31:01	7579251096	81	0.00
134	11-06-2025	14:39:26	9837736217	4	0.00
135	11-06-2025	15:56:09	9837736217	69	0.00
136	11-06-2025	18:49:58	9810464093	9	0.00
137	11-06-2025	20:06:59	9717409512	185	0.00
138	11-06-2025	20:12:09	9868141089	251	0.00
139	11-06-2025	22:45:05	9999396006	23	0.00
140	12-06-2025	01:36:47	9999396006	21	0.00
141	12-06-2025	10:11:15	9897075848	158	0.00
142	12-06-2025	10:18:03	7251829027	58	0.00
143	12-06-2025	10:25:12	9837736217	107	0.00
144	12-06-2025	12:06:07	9897075848	10	0.00
145	12-06-2025	13:14:29	9540433790	24	0.00
146	12-06-2025	13:34:01	9540433790	85	0.00
147	12-06-2025	15:01:07	9540433790	25	0.00
148	12-06-2025	15:07:00	9910587372	3	0.00
149	12-06-2025	16:34:01	9837736217	33	0.00
150	12-06-2025	16:34:42	9810464093	16	0.00
151	12-06-2025	16:37:54	9810464093	7	0.00
152	12-06-2025	16:55:41	9837736217	20	0.00
153	12-06-2025	17:07:31	9837736217	12	0.00

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Your Itemized Statement

154	12-06-2025	19:52:58	9899853720	274	0.00
155	12-06-2025	20:37:38	9810464093	169	0.00
156	13-06-2025	10:20:16	9899853720	28	0.00
157	13-06-2025	10:26:31	7895913082	90	0.00
158	13-06-2025	11:27:07	1124651330	61	0.00
159	13-06-2025	11:43:30	9555959436	92	0.00
160	13-06-2025	12:23:06	9837736217	59	0.00
161	13-06-2025	12:51:22	9555959436	64	0.00
162	13-06-2025	13:37:08	7735268199	184	0.00
163	13-06-2025	14:56:21	9818341656	146	0.00
164	13-06-2025	15:02:46	9555959436	193	0.00
165	13-06-2025	15:19:05	9837736217	59	0.00
166	13-06-2025	16:45:38	9690566434	20	0.00
167	13-06-2025	18:08:42	9888409232	12	0.00
168	13-06-2025	18:45:42	9999396006	12	0.00
169	13-06-2025	18:46:16	8827753530	56	0.00
170	13-06-2025	18:48:46	9711986718	778	0.00
171	13-06-2025	19:19:15	9690566434	3	0.00
172	13-06-2025	20:58:45	9953982802	146	0.00
173	13-06-2025	21:01:34	9540433790	66	0.00
174	13-06-2025	21:03:20	8218256854	27	0.00
175	14-06-2025	09:12:46	9837736217	3	0.00
176	14-06-2025	12:46:08	9540433790	84	0.00
177	14-06-2025	12:53:31	9837736217	44	0.00
178	14-06-2025	14:00:41	9810464093	5	0.00
179	14-06-2025	14:18:35	9837736217	33	0.00
180	14-06-2025	14:41:40	9810464093	6	0.00
181	14-06-2025	14:51:45	9868632122	31	0.00
182	14-06-2025	15:00:31	8535045800	71	0.00
183	14-06-2025	17:01:28	9868632122	2	0.00
184	14-06-2025	19:13:50	9810464093	117	0.00
185	14-06-2025	19:18:09	7570940016	134	0.00
186	15-06-2025	09:53:19	9837736217	54	0.00
187	15-06-2025	11:21:28	9897075848	36	0.00
188	15-06-2025	12:45:13	9837736217	201	0.00
189	15-06-2025	12:50:14	9837736217	61	0.00
190	15-06-2025	13:34:04	9897075848	21	0.00
191	15-06-2025	15:17:34	9888409232	23	0.00
192	15-06-2025	16:05:44	7251829027	16	0.00
193	15-06-2025	16:07:33	7251829027	8	0.00
194	15-06-2025	18:47:55	9837736217	5	0.00

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195	15-06-2025	19:14:25	9837736217	6	0.00
196	15-06-2025	19:51:44	9899853720	321	0.00
197	15-06-2025	19:58:23	9837324560	74	0.00
198	16-06-2025	09:35:46	9837736217	2	0.00
199	16-06-2025	09:40:37	9837736217	58	0.00
200	16-06-2025	13:13:59	9899853720	113	0.00
201	16-06-2025	13:30:32	7251829027	227	0.00
202	16-06-2025	13:35:21	9999395006	29	0.00
203	16-06-2025	13:36:09	9868141089	29	0.00
204	16-06-2025	13:44:03	7895913082	33	0.00
205	16-06-2025	13:50:54	9868141089	48	0.00
206	16-06-2025	13:53:46	7895913082	12	0.00
207	16-06-2025	14:20:20	9837736217	28	0.00
208	16-06-2025	14:26:07	9837736217	122	0.00
209	16-06-2025	14:32:31	7409860471	9	0.00
210	16-06-2025	17:26:01	9837736217	153	0.00
211	16-06-2025	17:40:40	7251829027	36	0.00
212	16-06-2025	18:20:40	9810464093	5	0.00
213	16-06-2025	18:24:38	9999395006	6	0.00
214	16-06-2025	18:49:50	9899853720	94	0.00
215	16-06-2025	19:00:54	9690566434	2	0.00
216	16-06-2025	21:29:22	9818341656	114	0.00
217	16-06-2025	22:50:18	9810464093	42	0.00
218	17-06-2025	11:39:26	9897075848	49	0.00
219	17-06-2025	12:10:47	9540433790	133	0.00
220	17-06-2025	12:14:30	9837736217	205	0.00
221	17-06-2025	12:18:21	9837736217	78	0.00
222	17-06-2025	13:00:08	7757028681	95	0.00
223	17-06-2025	13:06:02	9837736217	32	0.00
224	17-06-2025	13:14:18	9711418066	32	0.00
225	17-06-2025	13:23:21	9711418066	5	0.00
226	17-06-2025	13:29:21	9837736217	33	0.00
227	17-06-2025	13:30:54	9868141089	41	0.00
228	17-06-2025	13:32:04	7251829027	14	0.00
229	17-06-2025	13:33:41	9837736217	64	0.00
230	17-06-2025	13:52:47	9837736217	22	0.00
231	17-06-2025	14:30:47	9837736217	184	0.00
232	17-06-2025	14:58:44	9927699489	41	0.00
233	17-06-2025	15:07:05	9837000910	141	0.00
234	17-06-2025	15:10:03	9412059567	76	0.00
235	17-06-2025	15:11:42	9837736217	274	0.00

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236	17-06-2025	15:16:58	9412038602	74	0.00
237	17-06-2025	15:19:48	9412930710	51	0.00
238	17-06-2025	15:25:12	9412093636	137	0.00
239	17-06-2025	15:29:46	9760020888	69	0.00
240	17-06-2025	15:31:34	9412087643	31	0.00
241	17-06-2025	15:32:48	7983521288	37	0.00
242	17-06-2025	15:33:36	9412059567	109	0.00
243	17-06-2025	15:40:52	9412980219	22	0.00
244	17-06-2025	15:42:28	9927711911	59	0.00
245	17-06-2025	15:43:41	7060279001	97	0.00
246	17-06-2025	15:45:34	9927711911	15	0.00
247	17-06-2025	15:47:24	9927087051	66	0.00
248	17-06-2025	15:50:53	9412047481	48	0.00
249	17-06-2025	15:52:15	9548330025	98	0.00
250	17-06-2025	15:56:14	9412084018	67	0.00
251	17-06-2025	15:58:11	9412928469	147	0.00
252	17-06-2025	16:01:40	9837095706	42	0.00
253	17-06-2025	16:03:00	9837087779	96	0.00
254	17-06-2025	16:05:19	7457894080	3	0.00
255	17-06-2025	16:26:49	9412973674	3	0.00
256	17-06-2025	16:51:01	9837736217	40	0.00
257	17-06-2025	17:42:26	9810464093	7	0.00
258	17-06-2025	18:44:54	7251829027	55	0.00
259	17-06-2025	19:35:47	9837736217	2	0.00
260	17-06-2025	21:18:37	9953982802	103	0.00
261	18-06-2025	09:12:57	9810464093	5	0.00
262	18-06-2025	10:50:41	7251829027	45	0.00
263	18-06-2025	10:52:00	9837736217	215	0.00
264	18-06-2025	12:55:34	9837736217	91	0.00
265	18-06-2025	14:23:52	8057345678	49	0.00
266	18-06-2025	14:39:04	9411138089	80	0.00
267	18-06-2025	14:52:44	9810464093	15	0.00
268	18-06-2025	14:53:35	9837736217	129	0.00
269	18-06-2025	15:04:02	9810464093	6	0.00
270	18-06-2025	19:09:04	9837736217	150	0.00
271	18-06-2025	20:35:20	9837736217	163	0.00
272	18-06-2025	20:38:27	9810464093	10	0.00
273	19-06-2025	08:25:02	9837736217	34	0.00
274	19-06-2025	08:26:13	9897075848	29	0.00
275	19-06-2025	08:26:59	9837736217	2	0.00
276	19-06-2025	09:34:52	9810464093	5	0.00

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277	19-06-2025	09:56:49	9837736217	35	0.00
278	19-06-2025	10:20:12	9899853720	169	0.00
279	19-06-2025	10:28:33	9837736217	32	0.00
280	19-06-2025	12:01:06	9868141089	30	0.00
281	19-06-2025	12:36:34	9810464093	6	0.00
282	19-06-2025	12:45:20	9837736217	89	0.00
283	19-06-2025	12:48:13	9837736217	32	0.00
284	19-06-2025	13:07:19	9837736217	83	0.00
285	19-06-2025	15:03:23	9837736217	265	0.00
286	19-06-2025	15:40:25	9837736217	11	0.00
287	19-06-2025	19:35:51	9837736217	4	0.00
288	20-06-2025	09:46:43	9810464093	17	0.00
289	20-06-2025	09:47:36	9837736217	3	0.00
290	20-06-2025	10:16:01	9897075848	15	0.00
291	20-06-2025	10:19:42	9897075848	17	0.00
292	20-06-2025	10:46:44	9818341656	189	0.00
293	20-06-2025	11:01:42	9818341656	24	0.00
294	20-06-2025	14:47:54	9555834295	61	0.00
295	20-06-2025	15:15:20	7251829027	134	0.00
296	20-06-2025	19:58:56	9818341656	85	0.00
297	20-06-2025	20:27:20	9810464093	42	0.00
298	20-06-2025	20:34:22	9868141089	5	0.00
299	20-06-2025	21:49:33	9837736217	6	0.00
300	21-06-2025	09:03:15	9818341656	139	0.00
301	21-06-2025	11:11:29	9555834295	218	0.00
302	21-06-2025	11:15:50	9540433790	103	0.00
303	21-06-2025	13:08:29	9837736217	118	0.00
304	21-06-2025	13:31:38	9540433790	113	0.00
305	21-06-2025	13:33:47	9810464093	6	0.00
306	21-06-2025	18:23:29	9810464093	8	0.00
307	21-06-2025	20:28:57	9818341656	408	0.00
308	22-06-2025	09:02:44	9810464093	15	0.00
309	22-06-2025	10:42:38	9818341656	471	0.00
310	22-06-2025	11:15:45	9810464093	34	0.00
311	22-06-2025	12:17:02	9810464093	54	0.00
312	22-06-2025	16:07:01	9810464093	6	0.00
313	22-06-2025	17:50:24	9837736217	6	0.00
314	23-06-2025	09:34:54	9810464093	128	0.00
315	23-06-2025	10:18:42	7570940016	21	0.00
316	23-06-2025	10:49:14	9868141089	34	0.00
317	23-06-2025	11:32:13	9837736217	214	0.00

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318	23-06-2025	11:35:58	9555834295	27	0.00
319	23-06-2025	11:47:34	9555834295	20	0.00
320	23-06-2025	11:48:04	9837736217	40	0.00
321	23-06-2025	12:11:16	9711986718	99	0.00
322	23-06-2025	12:37:25	9888409232	55	0.00
323	23-06-2025	12:58:34	9910728882	3	0.00
324	23-06-2025	14:25:30	9971900298	32	0.00
325	23-06-2025	14:37:07	1128042850	52	0.00
326	23-06-2025	14:39:04	1128042854	39	0.00
327	23-06-2025	15:03:39	9868141089	40	0.00
328	23-06-2025	17:26:50	9650862161	189	0.00
329	23-06-2025	17:31:12	9810464093	4	0.00
330	23-06-2025	18:30:54	9837736217	366	0.00
331	23-06-2025	18:52:53	7895913082	569	0.00
332	23-06-2025	20:21:50	7505966091	13	0.00
333	23-06-2025	20:22:19	7505966091	35	0.00
334	23-06-2025	20:32:50	9456516440	111	0.00
335	23-06-2025	20:40:02	9439474295	235	0.00
336	24-06-2025	09:24:59	9810464093	5	0.00
337	24-06-2025	09:26:28	9557529285	25	0.00
338	24-06-2025	11:55:29	9810464093	5	0.00
339	24-06-2025	18:45:05	9810464093	6	0.00
340	24-06-2025	19:27:39	9837736217	272	0.00
341	24-06-2025	19:37:52	9456516440	28	0.00
342	24-06-2025	22:07:32	7505966091	116	0.00
343	25-06-2025	09:53:17	9810464093	239	0.00
344	25-06-2025	12:09:56	9837736217	30	0.00
345	25-06-2025	16:23:19	9690566434	88	0.00
346	25-06-2025	16:25:18	9690566434	187	0.00
347	25-06-2025	16:46:05	7290062935	72	0.00
348	26-06-2025	08:59:31	9690566434	3	0.00
349	26-06-2025	10:30:14	9818341656	387	0.00
350	26-06-2025	10:37:21	9897075848	40	0.00
351	26-06-2025	11:44:01	9557529285	35	0.00
352	26-06-2025	11:52:37	9557529285	10	0.00
353	26-06-2025	12:10:12	9810464093	5	0.00
354	26-06-2025	12:26:51	9837736217	91	0.00
355	26-06-2025	12:28:54	9810464093	4	0.00
356	26-06-2025	15:05:31	9837736217	146	0.00
357	26-06-2025	15:30:22	9837736217	23	0.00
358	26-06-2025	15:35:29	9837736217	7	0.00

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359	26-06-2025	15:38:09	9837736217	32	0.00
360	26-06-2025	15:40:06	9837736217	59	0.00
361	26-06-2025	16:22:57	9868880475	411	0.00
362	26-06-2025	17:56:42	7505966091	26	0.00
363	27-06-2025	09:13:01	9810464093	8	0.00
364	27-06-2025	09:35:35	9999396006	16	0.00
365	27-06-2025	11:02:43	9868141089	11	0.00
366	27-06-2025	11:12:03	9868141089	41	0.00
367	27-06-2025	12:28:41	9837736217	4	0.00
368	27-06-2025	12:37:42	9810464093	6	0.00
369	27-06-2025	12:45:06	9810464093	7	0.00
370	27-06-2025	16:48:05	9810464093	11	0.00
371	27-06-2025	18:10:34	9897075848	27	0.00
372	27-06-2025	18:39:15	9690566434	97	0.00
373	27-06-2025	18:43:48	9690566434	92	0.00
374	27-06-2025	19:02:47	9837736217	5	0.00
375	27-06-2025	20:41:23	9557529285	49	0.00
376	27-06-2025	21:21:43	6397420641	126	0.00
377	28-06-2025	09:36:50	9810464093	18	0.00
378	28-06-2025	10:55:52	9555834295	58	0.00
379	28-06-2025	12:48:37	9690566434	38	0.00
380	28-06-2025	13:14:54	9837736217	216	0.00
381	28-06-2025	14:01:34	9837736217	103	0.00
382	28-06-2025	14:16:14	8810450749	41	0.00
383	28-06-2025	16:14:12	8810450749	85	0.00
384	28-06-2025	17:13:25	9837736217	19	0.00
385	28-06-2025	17:56:20	8810450749	19	0.00
386	28-06-2025	19:14:20	9810464093	164	0.00
387	29-06-2025	09:27:34	9810464093	7	0.00
388	29-06-2025	11:19:19	9837736217	12	0.00
389	29-06-2025	11:57:33	8868965101	39	0.00
390	29-06-2025	12:11:30	9810464093	6	0.00
391	29-06-2025	17:00:21	8810450749	19	0.00
392	29-06-2025	19:10:54	8810450749	19	0.00
393	29-06-2025	19:18:13	8810450749	17	0.00
394	30-06-2025	09:52:42	8126774374	43	0.00
395	30-06-2025	10:13:35	9810464093	11	0.00
396	30-06-2025	11:45:48	9711418066	77	0.00
397	30-06-2025	11:59:18	9868141089	6	0.00
398	30-06-2025	12:59:50	9013534938	32	0.00
399	30-06-2025	13:27:35	7531807517	21	0.00

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400	30-06-2025	13:37:48	9897075848	42	0.00
401	30-06-2025	14:26:03	9837736217	3	0.00
402	30-06-2025	18:18:03	9810464093	6	0.00
403	30-06-2025	19:11:32	9897075848	32	0.00
404	30-06-2025	19:43:28	9690566434	42	0.00
405	30-06-2025	19:45:56	8810450749	45	0.00
406	30-06-2025	20:00:12	9818341656	213	0.00
407	30-06-2025	20:51:36	9818341656	13	0.00
408	30-06-2025	20:55:08	9439474295	207	0.00

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SMS Local

S.No.	Date	Time	Number	Amount(Rs)
1	02-06-2025	07:23:20	52263	0.00
2	02-06-2025	14:06:02	52263	0.00
3	03-06-2025	15:35:17	52263	0.00
4	04-06-2025	12:56:59	8732896115	0.00
5	04-06-2025	12:57:00	8732896115	0.00
6	04-06-2025	12:57:01	8732896115	0.00
7	04-06-2025	17:27:19	52263	0.00
8	05-06-2025	10:25:13	52263	0.00
9	06-06-2025	16:41:47	52263	0.00
10	08-06-2025	06:18:44	52263	0.00
11	09-06-2025	06:02:07	52263	0.00
12	11-06-2025	06:01:00	52263	0.00
13	11-06-2025	15:46:54	52263	0.00
14	12-06-2025	00:28:16	52263	0.00
15	12-06-2025	00:31:37	52263	0.00
16	12-06-2025	00:37:34	52263	0.00
17	12-06-2025	00:41:58	52263	0.00
18	12-06-2025	00:44:43	52263	0.00
19	12-06-2025	00:48:44	52263	0.00
20	12-06-2025	00:52:07	52263	0.00
21	12-06-2025	00:55:23	52263	0.00
22	12-06-2025	00:58:50	52263	0.00
23	12-06-2025	01:02:34	52263	0.00
24	12-06-2025	01:05:45	52263	0.00
25	12-06-2025	01:09:19	52263	0.00
26	12-06-2025	01:12:27	52263	0.00
27	12-06-2025	01:17:45	52263	0.00
28	12-06-2025	09:22:15	52263	0.00
29	12-06-2025	11:07:26	9810464093	0.00

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30	12-06-2025	19:45:37	52263	0.00
31	13-06-2025	13:33:52	52263	0.00
32	14-06-2025	10:35:06	9899853720	0.00
33	14-06-2025	14:52:55	9868632122	0.00
34	16-06-2025	09:40:29	52263	0.00
35	16-06-2025	14:41:31	9837736217	0.00
36	16-06-2025	16:17:37	52263	0.00
37	17-06-2025	16:03:49	52263	0.00
38	18-06-2025	12:36:54	52263	0.00
39	19-06-2025	09:56:45	52263	0.00
40	20-06-2025	14:54:41	52263	0.00
41	22-06-2025	14:53:14	52263	0.00
42	23-06-2025	20:06:05	52263	0.00
43	24-06-2025	16:40:10	52263	0.00
44	25-06-2025	16:27:05	52263	0.00
45	26-06-2025	16:22:04	52263	0.00
46	29-06-2025	12:11:12	52263	0.00

Disclaimer: The above itemized details includes the usage details of monetary and non-monetary depletion for Voice & SMS from your account and monetary depletion only for Data and VAS.

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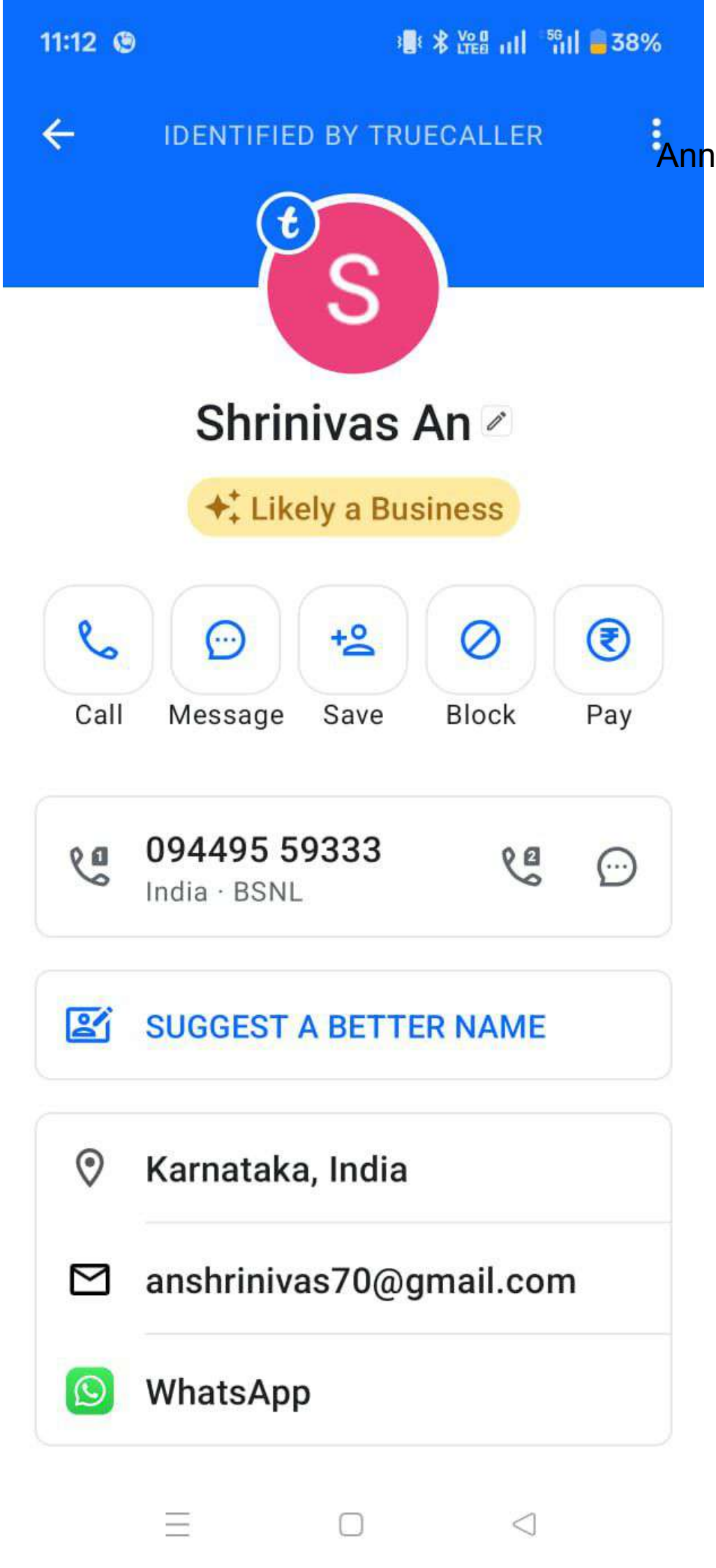
Annexure 6


11:12
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Shrinivas An
Likely a Business
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094495 59333
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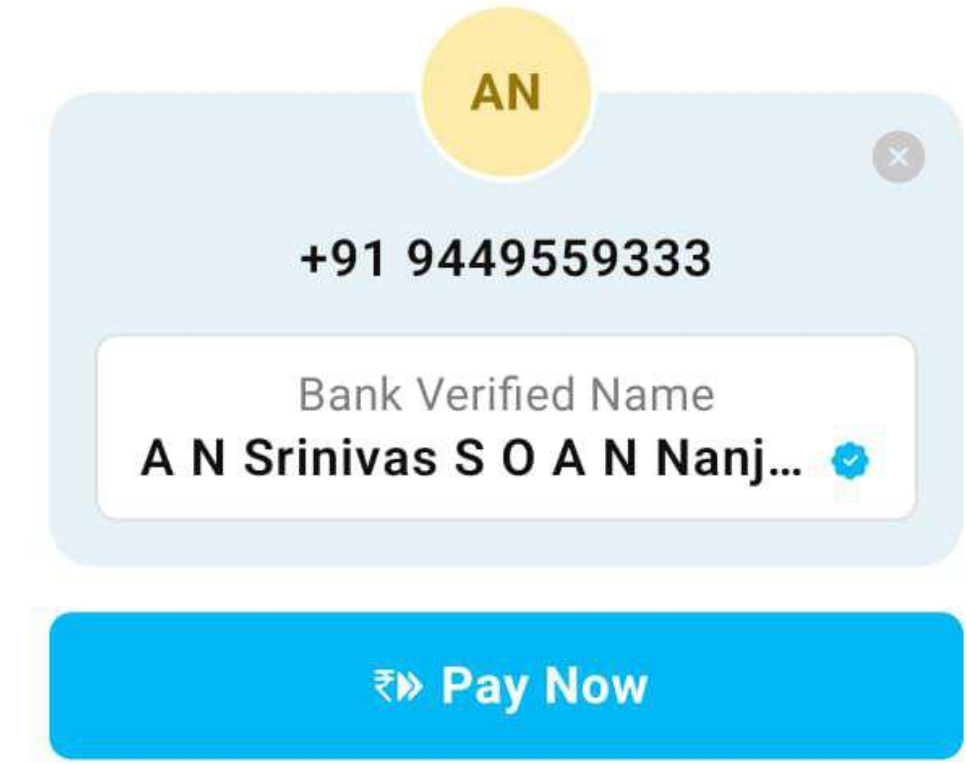
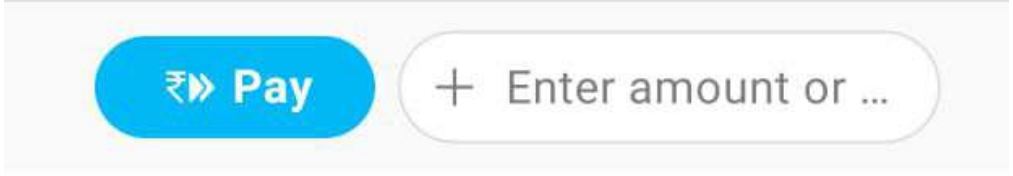

AN
+91 9449559333
Bank Verified Name
A N Srinivas S O A N Nanj...
₹» Pay Now


₹» Pay
+ Enter amount or ...

Annexure 8

UP: रिटायर्ड कर्नल की बेटी से मांगी 1.40 करोड़ की रंगदारी, अदालती आदेश पर दिल्ली के तीन लोगों पर लखनऊ में FIR

अमर उजाला नेटवर्क, लखनऊ Published by: दुष्यंत शर्मा Updated Sat, 26 Jul 2025 02:18 AM IST

सार

यह भी कहा कि आरोपी के पिता आरबी पांडेय और मां मंजू भी उसका साथ दे रही हैं। कोर्ट के आदेश पर बृहस्पतिवार को हुसैनगंज पुलिस ने तीनों के खिलाफ एफआईआर दर्ज की।

FIR Demo - फोटो : अमर उजाला

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FIR after Delhi man blackmails retd col's daughter for Rs 1cr

TNN / Jul 27, 2025, 00:55 IST

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Lucknow: A Delhi based man allegedly blackmailed a retired colonel's daughter in Lucknow, demanding Rs 1 crore while threatening to implicate her family in fabricated cases if they failed to comply, police said.

In his complaint, Retd Col Firoz Hameed Usmani of Fawn Break Avenue on Sarojini Naidu Marg said the accused Ashu Pathak met her daughter while they were undergoing clerical training at the Uttarakhand High Court.

During the training, Ashu allegedly harassed her, but she did not inform her family out of fear. This continued even after her daughter took up a job in Bengaluru. The accused used to send her harassing messages and demanded money.

According to the complaint, the first demand for Rs 1 crore was made on August 24, 2024, followed by another for Rs 40 lakh on Sep 25, and further demands in June 2025.

Colonel Usmani further alleged that Ashu threatened to trap the family in false legal cases and even made death threats. The family also accused Ashu's parents — RB Pathak and Manju Pathak — of being complicit.

A complaint was initially lodged at Hussainganj police station on June 30, but no action was taken. The matter was later escalated to the Chief Minister's grievance portal, following which the FIR was lodged on Saturday.

Inspector of Hussainganj police station, Shiv Mangal Singh, said a case has been registered against Ashu Pathak, RB Pathak and Manju Pathak, and probe underway.

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Dinesh Rathour ▪ लाइव हिन्दुस्तान, लखनऊ, वरिष्ठ संवाददाता

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थानाप्रभारी शिवमंगल सिंह के मुताबिक रिटायर कर्नल माल एवेन्यू बेगम अख्तर कम्पाउंड के रहने वाले हैं। मुकदमा कोर्ट के आदेश पर दर्ज किया गया है। उन्होंने अपनी तहरीर में लिखा कि नई दिल्ली द्वारिका अक्षरधाम अर्पाटमेंट सेक्टर एम निवासी आशू पाठक बेटी के साथ उत्तराखंड उच्च न्यायालय में क्लर्क की ट्रेनिंग करता था। बेटी अनम उस्मानी को ट्रेनिंग के दौरान आशू अकसर परेशान और प्रताड़ित करता था। बेटी उससे बहुत डरती थी। बेटी को डरा धमका कर उधारी के नाम पर रुपये भी लेता था पर कभी वापस नहीं किए। बेटी की नौकरी बैंग्लूरू में लग गई। वह वहां चली गई। हमीद उसमानी ने बताया कि बेटी के बैंग्लूरू जाने के बाद भी वह उसे परेशान करता रहा। बेटी को उल्टे सीधे मैसेज करता था। धमकाता था। 24 अगस्त 2024 को आशू पाठक ने बेटी को व्हाट्सएप पर मैसेज किए और एक करोड़ रुपये कि रंगदारी मांगी। बेटी के विरोध पर उसे धमकी दी। इसके बाद 25 सितंबर को 40 लाख रुपये फिर मांगे। जून 2025 में भी भी बेटी को मैसेज कर रंगदारी मांगी। बेटी के मना करने पर पूरे परिवार को जान से मारने की धमकी दी।

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ICMS No- 81760042500568

Annexure 10

Mr. Ashu Pathak
Advocate Supreme Court of India
B.A. (Hons.) LL.B. (Hons.), PGD CLM
Email- ashu030295@gmail.com

Flat No. 104
Akshardham Apartment
Sector 19 Pocket 3
Dwarka New Delhi

10.09.2025

TO
The Deputy Commissioner of Police (DCP),
Dwarka District,
Dwarka North Police Station,
New Delhi – 110075

Also at

SHO
Dwarka North Police Station
H2RH+989, Pocket A2,
Pocket B, Sector 17 Dwarka,
Dwarka, Delhi, 110078

Received by Commissioner of Police DWK Office Dwarka District 18188

SUBJECT: Complaint for registration of FIR against Col. (Retd.) Firoz Hameed Usmani and Ms. Anam Usmani for offences under Sections 314, 318, 351, and 354 BNS, 2023

COMPLAINT

1. That I, the undersigned, Mr. Ashu Pathak, am a law graduate and a citizen of India, who has maintained a blemish-free reputation in society and in the legal fraternity. I am compelled to approach your office owing to the malicious, fraudulent, and criminal acts of the Respondents, namely Col. (Retd.) Firoz Hameed Usmani (Respondent No. 1) and his daughter Ms. Anam Usmani (Respondent No. 2), who have sought to misuse the criminal justice system to harass and intimidate me.

2. That on 21.07.2025, Respondent No. 1 caused to be registered FIR No. 0104/2025 at Police Station Hussainganj, Lucknow, accusing me of offences under Sections 316(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023. The contents of the said FIR are wholly false, concocted, and actuated by mala fide intent, with the sole object of tarnishing my reputation and dragging my innocent family members into needless criminal litigation. A copy of the Criminal Miscellaneous Case 3786 of 2025 along with order dated 21.07.2025 is annexed as Annexure 1.

3. That the allegations contained in the FIR are factually impossible, as I have had no interaction or communication whatsoever with Respondent No. 2 since 2023. The foundation of the FIR is therefore inherently false. A copy of the Whatsapp Meta Data is annexed as Annexure 2.

Mr. Ashu Pathak
Advocate, Supreme Court of India
B.A. (Hons.) LL.B. (Hons.), PGD CLM
Email- ashu030295@gmail.com

Flat No. 104
Akshardham Apartment
Sector 19 Pocket 3
Dwarka New Delhi

4. That the Respondents have deliberately sought to convert a civil dispute into a criminal matter. Civil claims cannot be misrepresented as criminal offences to exert undue pressure.

5. That the FIR is retaliatory in nature. On 25.09.2024, I issued a legal notice to Respondent No. 2 seeking damages of ₹40,00,000/- for defamatory statements. Issuing such a notice is a legitimate civil remedy under tort law. Copies of the cease and desist letter and demand notice are annexed as Annexure 3.

6. That allegations of demanding ₹1,00,00,000/- are entirely fabricated and baseless. They are intended to mislead authorities and falsely impute serious offences to me.

7. That Respondent No. 2, being a practicing lawyer, knowingly misrepresented my lawful civil claims as criminal acts. This constitutes criminal cheating/fraud under Section 318 BNS and criminal intimidation/extortion under Section 351 BNS.

8. That false allegations of borrowing sums of ₹200, ₹500, and ₹1,000 are mischievous. These arose merely from shared incidental expenses during a professional association. Copies of bank statements and GPAY screenshots are annexed as Annexure 4.

9. That on 22.08.2024, I attempted an amicable settlement through a written proposal, which was rejected and mischaracterized as extortion by the Respondents, evidencing mala fide intent.

10. That in 2022–2023, anti-social elements associated with Respondent No. 2 attempted to intimidate me in Uttarakhand, demonstrating a broader conspiracy to harass me. A photo of resulting injury is annexed as Annexure 5.

11. That attribution of mobile number 9449559333 to me in the FIR is false. I have no connection with this number. Copies of actual Call Detail Records and account details are annexed as Annexures 6 & 7.

12. That allegations of threats to life are false. On the contrary, I and my family have been subjected to harassment, humiliation, and mental agony due to the Respondents' false complaints.

13. That the Respondents have publicly disseminated false claims through media outlets such as Times of India and Live Hindustan, alleging blackmail, which has gravely harmed my reputation. Copies of the newspaper clippings are annexed as Annexure 8.

14. That the acts of the Respondents attract provisions of Sections 314 (Criminal Breach of Trust), 318 (Cheating/Fraud), 351 (Criminal Intimidation), and 354 (Defamation) BNS, 2023.

15. That despite approaching the police under Section 173 BNS, no formal complaint has been recorded, causing undue hardship and necessitating higher authority intervention.

Mr. Ashu Pathak
Advocate Supreme Court of India
B.A. (Hons.) LL.B. (Hons.), PGD CLM
Email- ashu030295@gmail.com

Flat No. 104
Sector 19 Pocket 3
Dwarka New Delhi

Annexure 11

PRAYER

In light of the above, I respectfully request that your office:

i. Direct registration of FIR against Respondents under Sections 314, 318, 351, and 354 BNS, 2023;
ii. Take all necessary steps to investigate the matter and protect the rights of the Applicant;
iii. Pass such further orders as deemed just and proper in the interests of justice.

Place: New Delhi
Date: 10.09.2025

Annexures:

1. Whatsapp Meta Data
2. Legal Notice & Cease-and-Desist Letter
3. Bank Statements / GPAY Screenshots
4. Photo of Head Injury
5. Call Detail Record of 8368039384
6. Truecaller / Account Details
7. Newspaper Clippings (Times of India & Live Hindustan)

Yours faithfully,

Ashu Pathak

s

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2025 SCC OnLine SC 678

In the Supreme Court of India

(Before Abhay S. Oka and Ujjal Bhuyan, JJ.)

Imran Pratapgadhi ... Appellant;

Versus

State of Gujarat and Another ... Respondents.

Criminal Appeal No. 1545 of 2025

Decided on March 28, 2025

Advocates who appeared in this case:

Mr. Vaibhav Srivastava, Adv., Ms. Sugandha Anand, AOR, For Appellant(s)

Mr. Tushar Mehta, Solicitor General, Ms. Swati Ghildiyal, AOR, Mr. Ojaswa Pathak, Adv., Ms. Rajeshwari Shankar, Adv., For Respondent(s)

The Judgment of the Court was delivered by

ABHAY S. OKA, J.:—

FACTUAL ASPECT

1. On 26th January 2025, our Constitution became 75 years old. One of the most important fundamental rights conferred on the citizens of India is under Article 19 (1)(a) of the Constitution. It is the fundamental right of freedom of speech and expression. This case shows that even after 75 years of the existence of our Constitution, the law enforcement machinery of the State is either ignorant about this important fundamental right or does not care for this fundamental

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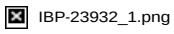
right.

2. The issue in this appeal revolves around a poem recited in the background of a video clip. The video clip was posted on social media by the appellant. The text of the poem has been reproduced in paragraph 13 of the impugned judgment, which reads thus:


IBP-23932_1.png

3. The appellant is a Member of the Rajya Sabha. The 2nd respondent is the first informant at whose instance a First Information Report (for short, 'FIR') was registered with Jamnagar Police Station for the offences punishable under Sections 196, 197(1), 302, 299, 57 and 3 (5) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'the BNS'). In the complaint of the 2nd respondent, he stated that on 29th December 2024, on the occasion of the birthday of one Altaf Ghafarbhai Khafi, a member of the Municipal Corporation of Jamnagar, a mass wedding program was held at Sanjari Education and Charitable Trust. The said Municipal Councillor invited the present appellant to the function. A video of the event was made. The appellant posted the video on the social media platform 'X' from his verified account. The video has the recitation of the poem reproduced above in the background. The allegation in the complaint is that the spoken words of the poem incite people of one community against another, and it hurts a community's religious and social sentiments. It is alleged that the song had lyrics that incited people of other communities to fight for the community's rights. It is alleged that the video posted by the appellant created enmity between two communities at the national level and hatred towards each other. It was further alleged that it had a detrimental effect on national unity.

PROCEEDINGS BEFORE THE HIGH COURT

4. The appellant filed a petition under Section 528 of the Bharatiya Nagarik Suraksha Sanhita (for short, 'the BNSS') read with Article 226

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of the Constitution of India, praying for quashing the said FIR. While issuing notice on the said petition, the learned Judge had directed the appellant to file an affidavit disclosing the poem's source. Accordingly, an affidavit was filed by the appellant. In paragraphs 3 to 5 of the affidavit, he stated thus:

> "3. In compliance with this Hon'ble Court's oral order dated 13.01.2025 in R/Special Criminal Application (Quashing) No. 551 of 2025, I stated that the poem in question, based on available information, including sources reviewed through ChatGPT and public domain opinions, the poem is attributed to either Faiz Ahmed Faiz or Habib Jalib. However, as internet opinions remain divided, I am unable to conclusively ascertain the definite authorship between the two. A copy of the screenshot of the results of ChatGPT search engine are annexed herewith and marked as ANNEXURE-A.
>
> 4. It is further stated that a plain reading of the song poem, it is a message of love and non-violence
>
> 5. I further solemnly affirm that I am not the writer of the song/poem in question.
>
> 6. I state that the annexures produced with this affidavit are true copies of their originals."

(emphasis added)

5. By the impugned judgment and order, the learned Single Judge rejected the petition by holding that as the investigation is at a very nascent stage, interference cannot be made in view of the decision of this Court in the case of *Neeharika Infrastructure Pvt. Ltd.* v. *State of Maharashtra*[1].

SUBMISSIONS

6. The submission of the appellant in support of the appeal is that

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none of the ingredients of the offences alleged against the appellant are made out on the plain reading of the complaint and the poem. It is pointed out in the appeal that, as it usually happens, posting the video on the social media site 'X' receives several responses, some in favour, some against. Therefore, it cannot be said that the poem caused social disharmony amongst the people. It is submitted that the poem does not promote disharmony or feelings of enmity, hatred or ill-will between the various religious, racial, language or regional groups and castes or communities. It is submitted that, on its plain reading, it is about sacrificing oneself to fight for rights and truth. The poem promotes non-violence and preaches that one must suffer injustice with love. The submission of the learned senior counsel appearing for the appellant is that registering FIR based on the said poem violates the appellant's fundamental right guaranteed under Article 19(1)(a) of the Constitution. He submitted that the police have shown insensitivity. Even the High Court has not attempted to appreciate the message sought to be conveyed by the poem.

7. The Learned Solicitor General of India has taken a fair stand and has left it to the Court to make an appropriate decision. He, however, submitted that the tall claim made by the appellant on oath that the poem's author can be either Faiz Ahmed Faiz or Habib Jalib is entirely wrong. He submitted that the said contention raised by the appellant on oath has no basis at all. He submitted that it is the obligation of the police to register an FIR. The High Court has followed the law while rejecting the appellant's petition. Therefore, the criticism made by the learned senior counsel for the appellant about the approach of the High Court is not correct.

8. The office report of 7th February 2025 records that affidavit of dasti service on 2nd respondent has been filed. None appeared for the respondent.

CONSIDERATION OF SUBMISSIONS

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WORDS SPOKEN

9. A broad English translation of the said poem reads thus:

"Those who are blood thirsty, listen to us

If the fight for our rights is met with injustice

We will meet that injustice with love

If the drops flowing from a candle are like a flame (Analogy : if the tears from our face are like a flame) We will use it to light up all paths

If the bodies of our loved ones are a threat to your throne

We swear by God that we will bury our loved ones happily

Those who are blood thirsty, listen to us."

10. On plain reading of the original Urdu version and its English translation, the following conclusions can be drawn:

a) This poem has nothing to do with any religion, community, region or race;

b) By no stretch of imagination, the contents affect national integration;

c) It does not jeopardise the sovereignty, unity, integrity or security of India;

d) It suggests that while fighting to secure our rights if we are met with injustice, we will face it with love. We will use our tears as flames to light up all paths;

e) It gives a warning to the throne (the rulers). It states that if the bodies of our loved ones are a threat to the rulers, we will bury our loved ones happily;

f) It preaches non-violence. It says that if the fight for our rights is met with injustice, we will meet injustice with love. This gives a message that injustice should not be retaliated, but it should be met with love;

g) The poem refers to the throne in the context of the fight against injustice. The reference to the throne is symbolic. It is a reference to an entity which is responsible for causing injustice. It gives a warning that if the bodies of loved ones are a threat to the throne, we will happily accept the deaths of our loved ones. It suggests that one should be willing to sacrifice life in the fight against injustice; and

h) Thus, the poem does not encourage violence. On the contrary, it encourages people to desist from resorting to violence and to face injustice with love. It states that if our fight with injustice results into the death of our near and dear ones, we would be happy to bury their bodies.

WHETHER ANY OFFENCE IS MADE OUT

11. Now, let us turn to the FIR, the English translation of which has been annexed to the petition. The relevant part of the FIR reads thus:

> "According to Section 196, 197(1) 302 299, 57, 3(5) of the Penal Code, 1860 2023, it is in such a way that the Imran Pratapgarhi has created a verified X Account named Imran Pratapgarhi Shayarlmran on social media platform X with the username link https://x.com/shayarimran?ss in the bio of which is Official Twitter Account of Imran Pratapgarhi | Member Of Parliament Rajya Sabha | National Chairman @INCMinority Member of @INCIndia Yash Bharti Awardee Account Holder has recorded a 46-second video of a mass marriage program at Rumi Park Morkanda Road Kalavad Naka, Jamnagar city, Jamnagar district, Gujarat state, titled 'Jamnagar Gujarat Ke Ek Samuhik Vivah Program Me ShirkatThi' Khun Ke Pyaso Baat Suno Agar Haq Ki Jabhanda Zulma Sa Hi, Hum Zulma

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> Se Ishq Nibha Deng Hum Zulma Se Ishq Nibha Deng Gar Sammegiriya Atish Hai Har Raah Wo Samma Jala Denge Gar Laash Hamare Apno Ki, Khatra Hai Tumari Masnad Ka, Us Rab Ki Kasam Haste Haste Kitni Laashe Dafna Deng Hai Khun Ke Pyaso Uploading a video vyith the words "Baat Sunohai Khun Ke Pyaaso Baat Sun" and using provocative language about the religion, caste and language of Hindus, Muslims and other castes living in India, promoting enmity between different groups, making statements that are detrimental to national unity, making statements that are harmful to national unity, making statements with the intention of hurting religious feelings, making religious insults, spreading the video among the people with the intention of causing shock, inciting others to commit a crime."
>
> (emphasis added)

12. The poem does not refer to any religion, caste or language. It does not refer to persons belonging to any religion. By no stretch of imagination, does it promote enmity between different groups. We fail to understand how the statements therein are detrimental to national unity and how the statements will affect national unity. On its plain reading, the poem does not purport to affect anyone's religious feelings.

13. Now, let us examine whether any offence as alleged is attracted. Section 196 of the BNS reads thus:

> "196. Promoting enmity between different groups on grounds of religion, race, place of birth, residence, language, etc., and doing acts prejudicial to maintenance of harmony.—(1) Whoever—
>
> (*a*) by words, either spoken or written, or by signs or by visible representations or through electronic communication or otherwise, promotes or attempts to promote, on grounds of

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religion, race, place of birth, residence, language, caste or community or any other ground whatsoever, disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities; or

(*b*) commits any act which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities, and which disturbs or is likely to disturb the public tranquillity; or

(*c*) organises any exercise, movement, drill or other similar activity intending that the participants in such activity shall use or be trained to use criminal force or violence or knowing it to be likely that the participants in such activity will use or be trained to use criminal force or violence, or participates in such activity intending to use or be trained to use criminal force or violence or knowing it to be likely that the participants in such activity will use or be trained to use criminal force or violence, against any religious, racial, language or regional group or caste or community and such activity for any reason whatsoever causes or is likely to cause fear or alarm or a feeling of insecurity amongst members of such religious, racial, language or regional group or caste or community,

shall be punished with imprisonment which may extend to three years, or with fine, or with both.

(2) Whoever commits an offence specified in sub-section (1) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine."

14. The offence under Section 196 is attracted when the words, either spoken or written, or by signs or visible representations, promote

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enmity between different groups, on the grounds of religion, race, place of birth, residence, language, caste or, community or any other ground. The offence will be attracted when the words either spoken or written, or signs or visible representation, promote or attempt to promote disharmony or feelings of enmity, hatred or ill-will between different religious, racial, language or regional groups or castes or communities. On a plain reading of the poem, we find that the same has nothing to do with any religion, caste, community or any particular group. The poem's words do not bring about or promote disharmony or feelings of hatred or ill-will. It only seeks to challenge the injustice made by the ruler. It is impossible to say that the words used by the appellant disturb or are likely to disturb public tranquility. Therefore, neither clause (a) nor clause (b) of Section 196(1) are attracted. There is no allegation against the appellant of organising any exercise, movement, drill or similar activity. There is no allegation against the appellant that he uttered the words in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies. Hence, clause (c) will have no application. The appellant has put a video of a mass marriage function, and in the background, the words are uttered. Therefore, Section 196 can have no application.

15. Section 197 reads thus:

> "197. Imputations, assertions prejudicial to national integration. —(1) Whoever, by words either spoken or written or by signs or by visible representations or through electronic communication or otherwise,—
>
> (*a*) makes or publishes any imputation that any class of persons cannot, by reason of their being members of any religious, racial, language or regional group or caste or community, bear true faith and allegiance to the Constitution of India as by law established or uphold the sovereignty and integrity of India; or

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(*b*) asserts, counsels, advises, propagates or publishes that any class of persons shall, by reason of their being members of any religious, racial, language or regional group or caste or community, be denied, or deprived of their rights as citizens of India; or

(*c*) makes or publishes any assertion, counsel, plea or appeal concerning the obligation of any class of persons, by reason of their being members of any religious, racial, language or regional group or caste or community, and such assertion, counsel, plea or appeal causes or is likely to cause disharmony or feelings of enmity or hatred or ill-will between such members and other persons; or

(*d*) makes or publishes false or misleading information, jeopardising the sovereignty, unity and integrity or security of India,

shall be punished with imprisonment which may extend to three years, or with fine, or with both.

(2) Whoever commits an offence specified in sub-section (1) in any place of worship or in any assembly engaged in the performance of religious worship or religious ceremonies, shall be punished with imprisonment which may extend to five years and shall also be liable to fine."

16. As stated earlier, the poem does not make or publish any imputation and is not concerned with any religious, racial, language, regional group, caste, or community. It does not suggest that any class of persons have been denied rights as citizens because they are members of a religious, racial, language, regional group, caste, or community. It does not make or publish any assertion, counsel, plea or appeal likely to cause disharmony or feeling of enmity or hatred or ill will. The poem does not publish or make any false or misleading information.

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17. Offence under Section 299 of the BNS is also alleged against the appellant, which reads thus:

> "299. Deliberate and malicious acts, intended to outrage religious feelings of any class by insulting its religion or religious beliefs.—Whoever, with deliberate and malicious intention of outraging the religious feelings of any class of citizens of India, by words, either spoken or written, or by signs or by visible representations or through electronic means or otherwise, insults or attempts to insult the religion or the religious beliefs of that class, shall be punished with imprisonment of either description for a term which may extend to three years, or with fine, or with both."

To say the least, it is ridiculous to say that the act of the appellant is intended to outrage the religious feelings of any class by insulting its religion or religious beliefs. The poem only tells the rulers what the reaction will be if the fight for rights is met with injustice.

18. Even offence under Section 302 of the BNS has been alleged, which reads thus:

> "302. Uttering words, etc., with deliberate intent to wound religious feelings of any person.—Whoever, with the deliberate intention of wounding the religious feelings of any person, utters any word or makes any sound in the hearing of that person or makes any gesture in the sight of that person or places any object in the sight of that person, shall be punished with imprisonment of either description for a term which may extend to one year, or with fine, or with both."

An offence under Section 302 will be made out if any words are uttered with the deliberate intention of wounding the religious feelings of any person. Even this section is not applicable on its face.

19. Section 57 of the BNS is alleged to be applicable, which reads

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thus:

> "57. Abetting commission of offence by public or by more than ten persons.— Whoever abets the commission of an offence by the public generally or by any number or class of persons exceeding ten, shall be punished with imprisonment of either description for a term which may extend to seven years and with fine."

We fail to understand, even if it is assumed that the appellant has committed some offence, how he has abetted the commission of an offence by the public generally or by any number or class of persons exceeding ten.

OBLIGATION TO REGISTER A FIRST INFORMATION REPORT

20. The question is whether in the facts of the case, it was obligatory under sub-Section (1) of Section 173 of the BNSS to register FIR. Section 173, which deals with information in cognizable cases, reads thus:

> "173. Information in cognizable cases.—(1) Every information relating to the commission of a cognizable offence, irrespective of the area where the offence is committed, may be given orally or by electronic communication to an officer in charge of a police station, and if given—
>
> (*i*) orally, it shall be reduced to writing by him or under his direction, and be read over to the informant; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it;
>
> (*ii*) by electronic communication, it shall be taken on record by him on being signed within three days by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may by rules prescribe in this behalf:

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Provided that if the information is given by the woman against whom an offence under Section 64, Section 65, Section 66, Section 67, Section 68, Section 69, Section 70, Section 71, Section 74, Section 75, Section 76, Section 77, Section 78, Section 79 or Section 124 of the Bharatiya Nyaya Sanhita, 2023 is alleged to have been committed or attempted, then such information shall be recorded, by a woman police officer or any woman officer:

Provided further that—

(*a*) in the event that the person against whom an offence under Section 64, Section 65, Section 66, Section 67, Section 68, Section 69, Section 70, Section 71, Section 74, Section 75, Section 76, Section 77, Section 78, Section 79 or Section 124 of the Bharatiya Nyaya Sanhita, 2023 is alleged to have been committed or attempted, is temporarily or permanently mentally or physically disabled, then such information shall be recorded by a police officer, at the residence of the person seeking to report such offence or at a convenient place of such person's choice, in the presence of an interpreter or a special educator, as the case may be;

(*b*) the recording of such information shall be videographed;

(*c*) the police officer shall get the statement of the person recorded by a Magistrate under clause (*a*) of sub-section (6) of Section 183 as soon as possible.

(2) A copy of the information as recorded under sub-section (1) shall be given forthwith, free of cost, to the informant or the victim.

(3) Without prejudice to the provisions contained in Section 175, on receipt of information relating to the commission of any cognizable offence, which is made punishable for three years or more but less than seven years, the officer in charge of the police station may with the prior permission from an officer not below the

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rank of Deputy Superintendent of Police, considering the nature and gravity of the offence,—

(*i*) proceed to conduct preliminary enquiry to ascertain whether there exists a *prima facie* case for proceeding in the matter within a period of fourteen days; or

(*ii*) proceed with investigation when there exists a *prima facie* case.

(4) Any person aggrieved by a refusal on the part of an officer in charge of a police station to record the information referred to in sub- section (1), may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer subordinate to him, in the manner provided by this Sanhita, and such officer shall have all the powers of an officer in charge of the police station in relation to that offence failing which such aggrieved person may make an application to the Magistrate."

Sub-Section (1) provides for giving information relating to the commission of a cognizable offence. It may be given orally or by electronic communication to the officer-in-charge of a police station. If the information discloses the commission of a cognizable offence, it is mandatory to record the substance of the information in a book to be kept by the officer in the form prescribed by the State Government. No further inquiry can be made by the police officer if the information discloses the commission of a cognizable offence. Therefore, subject to the exception carved out by sub-Section (3) of Section 173, which we will deal with later, it is mandatory to record the information in a book. Thus, it is mandatory to register the FIR if information received discloses the commission of a cognizable offence.

21. Section 154 of the CrPC reads thus:

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"154. Information in cognizable cases.—(1) Every information relating to the commission of a cognizable offence, if given orally to an officer in charge of a police station, shall be reduced to writing by him or under his direction, and be read over to the informant; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may prescribe in this behalf:

Provided that if the information is given by the woman against whom an offence under Section 326-A, Section 326-B, Section 354, Section 354-A, Section 354-B, Section 354-C, Section 354-D, Section 376, Section 376-A, Section 376-AB, Section 376-B, Section 376-C, Section 376-D, Section 376-DA, Section 376-DB, Section 376-E or Section 509 of the Penal Code, 1860 (45 of 1860) is alleged to have been committed or attempted, then such information shall be recorded, by a woman police officer or any woman officer:

Provided further that—

(*a*) in the event that the person against whom an offence under Section 354, Section 354-A, Section 354-B, Section 354-C, Section 354-D, Section 376, Section 376-A, Section 376-AB, Section 376-B, Section 376-C, Section 376-D, Section 376-DA, Section 376-DB], Section 376-E or Section 509 of the Penal Code, 1860 (45 of 1860) is alleged to have been committed or attempted, is temporarily or permanently mentally or physically disabled, then such information shall be recorded by a police officer, at the residence of the person seeking to report such offence or at a convenient place of such person's choice, in the presence of an interpreter or a special educator, as the case may be;

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(*b*) the recording of such information shall be videographed;

(*c*) the police officer shall get the statement of the person recorded by a Judicial Magistrate under clause (*a*) of sub-section (5-A) of Section 164 as soon as possible.

(2) A copy of the information as recorded under sub-section (1) shall be given forthwith, free of cost, to the informant.

(3) Any person aggrieved by a refusal on the part of an officer in charge of a police station to record the information referred to in sub-section (1) may send the substance of such information, in writing and by post, to the Superintendent of Police concerned who, if satisfied that such information discloses the commission of a cognizable offence, shall either investigate the case himself or direct an investigation to be made by any police officer subordinate to him, in the manner provided by this Code, and such officer shall have all the powers of an officer in charge of the police station in relation to that offence."

22. Sub-Section (1) of Section 173 of BNSS is substantially the same as Sub-Section (1) of Section 154 of the Criminal Procedure Code, 1973 (for short, 'the CrPC'). Therefore, the law laid down by this Court in the case of *Lalita Kumari* v. *Govt. of U.P.*[2] on Section 154 of the CrPC will be relevant. Paragraph 120 of the said decision containing conclusions/directions reads thus:

"120. In view of the aforesaid discussion, we hold:

120.1. The registration of FIR is mandatory under Section 154 of the Code, if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation.

120.2. If the information received does not disclose a cognizable offence but indicates the necessity for an inquiry,

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a preliminary inquiry may be conducted only to ascertain whether cognizable offence is disclosed or not.

120.3. If the inquiry discloses the commission of a cognizable offence, the FIR must be registered. In cases where preliminary inquiry ends in closing the complaint, a copy of the entry of such closure must be supplied to the first informant forthwith and not later than one week. It must disclose reasons in brief for closing the complaint and not proceeding further.

120.4. The police officer cannot avoid his duty of registering offence if cognizable offence is disclosed. Action must be taken against erring officers who do not register the FIR if information received by him discloses a cognizable offence.

120.5. The scope of preliminary inquiry is not to verify the veracity or otherwise of the information received but only to ascertain whether the information reveals any cognizable offence.

120.6. As to what type and in which cases preliminary inquiry is to be conducted will depend on the facts and circumstances of each case. The category of cases in which preliminary inquiry may be made are as under:

(*a*) Matrimonial disputes/family disputes

(*b*) Commercial offences

(*c*) Medical negligence cases

(*d*) Corruption cases

(*e*) Cases where there is abnormal delay/laches in initiating criminal prosecution, for example, over 3 months' delay in reporting the matter without satisfactorily explaining the reasons for delay.

The aforesaid are only illustrations and not exhaustive of all

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conditions which may warrant preliminary inquiry.

120.7. While ensuring and protecting the rights of the accused and the complainant, a preliminary inquiry should be made time-bound and in any case it should not exceed fifteen days generally and in exceptional cases, by giving adequate reasons, six weeks' time is provided. The fact of such delay and the causes of it must be reflected in the General Diary entry.

120.8. Since the General Diary/Station Diary/Daily Diary is the record of all information received in a police station, we direct that all information relating to cognizable offences, whether resulting in registration of FIR or leading to an inquiry, must be mandatorily and meticulously reflected in the said diary and the decision to conduct a preliminary inquiry must also be reflected, as mentioned above."

(emphasis added)

23. Section 154 of the CrPC does not provide for making any preliminary inquiry. However, as held in the case of *Lalita Kumari*[2], a preliminary inquiry is permissible if the information received does not disclose a cognizable offence and indicates the necessity for an inquiry. A preliminary inquiry must be conducted only to ascertain whether a cognizable offence is disclosed. However, sub-Section (3) of Section 173 of the BNSS makes a significant departure from Section 154 of the CrPC. It provides that when information relating to the commission of a cognizable offence which is made punishable for 3 years or more but less than 7 years is received by an officer-in-charge of a police station, with the prior permission of a superior officer as mentioned therein, the police officer is empowered to conduct a preliminary inquiry to ascertain whether there exists a *prima facie* case for proceeding in the matter. However, under Section 154 of the CrPC, as held in the case of *Lalita Kumari*[2], only a limited preliminary inquiry is permissible to ascertain whether the information received discloses a cognizable

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offence. Moreover, a preliminary inquiry can be made under the CrPC only if the information does not disclose the commission of a cognizable offence but indicates the necessity for an inquiry. Sub-Section (3) of Section 173 of the BNSS is an exception to sub-Section (1) of Section 173. In the category of cases covered by sub-Section (3), a police officer is empowered to make a preliminary inquiry to ascertain whether a *prima facie* case is made out for proceeding in the matter even if the information received discloses commission of any cognizable offence. That is very apparent as sub-Section (3) of Section 173 refers explicitly to receiving information relating to the commission of a cognizable offence. Therefore, in a case where sub-Section (3) of Section 173 is applicable, even if the information pertaining to the commission of any cognizable offence is received, an inquiry can be conducted to ascertain whether a *prima facie* case exists for proceeding in the matter. The intention appears to be to prevent the registration of FIRs in frivolous cases where punishment is up to 7 years, even if the information discloses the commission of the cognizable offence. However, under Section 154 of the CrPC, the inquiry permitted by paragraph 120.2 of the decision in the case of *Lalita Kumari*[2] is limited only to ascertain whether the cognizable offence is disclosed.

24. Under sub-Section (3) of Section 173 of the BNSS, after holding a preliminary inquiry, if the officer comes to a conclusion that a *prima facie* case exists to proceed, he should immediately register an FIR and proceed to investigate. But, if he is of the view that a *prima facie* case is not made out to proceed, he should immediately inform the first informant/complainant so that he can avail a remedy under sub-Section (4) of Section 173.

25. Before we go into the applicability of sub-Section (3) of Section 173 of the BNSS to the facts of the case, we must deal with sub-Section (1) of Section 173. Take a case where a person approaches an officer-in-charge of a police station either personally or by electronic

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communication and alleges that he has seen 'A' assaulting 'X' with a stick. If the injury caused is simple, it will be an offence punishable under Section 115(2) of the BNS. As per the first Schedule of the BNSS, it is a non-cognizable offence. Therefore, based on such information, FIR cannot be registered. If grievous hurt is caused, it will be an offence punishable under Section 117(2) of the BNS, which is a cognizable offence. Therefore, the allegations made in the information furnished to an officer-in-charge of a police station must be examined by the officer only with a view to ascertain whether a cognizable offence is made out. Taking the information as correct, the officer has to determine whether it makes out a case of the commission of a cognizable offence. If the allegation makes out a case of a cognizable offence, unless the offence falls in sub-Section (3) of Section 173, it is mandatory to register FIR.

26. Coming back to the offence punishable under Section 196 of the BNS to decide whether the words, either spoken or written or by sign or by visible representations or through electronic communication or otherwise, lead to the consequences provided in the Section. The police officer to whom information is furnished will have to read or hear the words written or spoken, and by taking the same as correct, decide whether an offence under Section 196 is made out. Reading of written words, or hearing spoken words will be necessary to determine whether the contents make out a case of the commission of a cognizable offence. The same is the case with offences punishable under Sections 197, 299 and 302 of the BNS. Therefore, to ascertain whether the information received by an officer-in-charge of the police station makes out a cognizable offence, the officer must consider the meaning of the spoken or written words. This act on the part of the police officer will not amount to making a preliminary inquiry which is not permissible under sub-Section (1) of Section 173.

27. We will give an example. A person utters the following words. "If the rulers attack me, I will not retaliate and, on the contrary, face the

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attack with love. If I do that, it will lead to the defeat of the rulers." If the person who furnishes information, alleges that these words are spoken or written to promote enmity between different groups as provided in Section 196, while deciding whether the information is of commission of a cognizable offence, the officer concerned will have to read and understand the meaning of the alleged spoken words. This exercise does not amount to making a preliminary inquiry which is prohibited under sub-Section (1) of Section 173 of BNSS.

28. Sub-Section (3) of Section 173 of the BNSS confers a discretion on the officer receiving information relating to the commission of a cognizable offence to conduct a preliminary inquiry to ascertain whether a *prima facie* case exists to proceed. This option is available when the offence alleged is made punishable for 3 years or more but less than 7 years. In the facts of the case, all the offences except the offence under Section 57 of the BNS are punishable by imprisonment for less than 7 years. Section 57, on the face of it, is not applicable. Therefore, this option was also available to the police officer in the present case. The officer did not exercise the said option.

29. At this stage, we may refer to clause (a) of Article 51-A of the Constitution, which reads thus:

> "51-A. Fundamental duties.—It shall be the duty of every citizen of India—
>
> *(a)* to abide by the Constitution and respect its ideals and institutions, the National Flag and the National Anthem;
>
> ....."

The police officers must abide by the Constitution and respect its ideals. The philosophy of the Constitution and its ideals can be found in the preamble itself. The preamble lays down that the people of India have solemnly resolved to constitute India into a sovereign, socialist, secular, democratic republic and to secure all its citizens liberty of

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thought, expression, belief, faith and worship. Therefore, liberty of thoughts and expression is one of the ideals of our Constitution. Article 19(1)(a) confers a fundamental right on all citizens to freedom of speech and expression. The police machinery is a part of the State within the meaning of Article 12 of the Constitution. Moreover, the police officers being citizens, are bound to abide by the Constitution. They are bound to honour and uphold freedom of speech and expression conferred on all citizens. Clause (2) of Article 19 of the Constitution carves out an exception to the fundamental right guaranteed under sub-clause (a) of clause (1) of Article 19. If there is a law covered by clause (2), its operation remains unaffected by sub-clause (a) of clause (1). We must remember that laws covered by the clause (2) are protected by way of an exception provided they impose a reasonable restriction. Article 19(2) is an exception to the freedom enumerated under Article 19(1)(a). The reasonable restrictions provided for in Article 19(2) must remain reasonable and not fanciful and oppressive. Article 19(2) cannot be allowed to overshadow the substantive rights under Article 19(1), including the right to freedom of speech and expression. Therefore, when an allegation is of the commission of an offence covered by the law referred to in clause (2) of Article 19, if sub-Section (3) of Section 173 is applicable, it is always appropriate to conduct a preliminary inquiry to ascertain whether a *prima facie* case is made out to proceed against the accused. This will ensure that the fundamental rights guaranteed under sub-clause (a) of clause (1) of Article 19 remain protected. Therefore, in such cases, the higher police officer referred to in sub-Section (3) of Section 173 must normally grant permission to the police officer to conduct a preliminary inquiry. Therefore, when the commission of cognizable offences is alleged, where punishment is for imprisonment up to 7 years, which is based on spoken or written words, it will always be appropriate to exercise the option under sub-Section (3) of Section 173 and conduct a preliminary inquiry to ascertain whether there exists a *prima facie* case to proceed. If an

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option under sub-Section (3) is not exercised by the police officer in such a case, he may end up registering an FIR against a person who has exercised his fundamental right under Article 19 (1)(a) even though clause (2) of Article 19 is not attracted. If, in such cases, the option under sub-Section (3) of Section 173 is not exercised, it will defeat the very object of incorporating sub-Section (3) of Section 173 of the BNSS and will also defeat the obligation of the police under Article 51-A (a).

30. Even while dealing with the performance of an obligation under sub-Section (1) of Section 173, where the commission of the offence is based on spoken or written words, the police officer concerned will have to keep in mind the fundamental rights guaranteed under Article 19(1)(a) read with an exception carved out under clause (2) of Article 19. The reason is that he is under an obligation to abide by the Constitution and to respect the ideals under the Constitution. The Constitution is more than 75 years old. By this time, the police officers ought to have been sensitized about their duty of abiding by the Constitution and respecting the ideals of the Constitution. If the police officers are not aware of these obligations, the State must ensure that they are educated and sensitized by starting massive training programs.

31. In the facts of the case, even without taking recourse to sub-Section (3) of Section 173 of the BNSS, the information furnished to the police officer did not attract the offences punishable under Sections 196, 197, 299 and 302 of the BNS.

STANDARD TO BE APPLIED

32. At this stage, we cannot resist the temptation of quoting what Bose and Puranik, JJ., authored as the Judges of the erstwhile Nagpur High Court. In the case of *Bhagwati Charan Shukla* v. *Provincial Government, C.P. & Berar*[3], in paragraph 67, it is held thus:

> "67. Viewing the impugned article in that light we are of opinion,

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as a matter of fact, that it is not seditious because its professed aim is to obtain a change of Government through the ballot box and not to incite people to a disobedience of the laws of Government. Some extravagance of language there is, and there is the usual crude emotional appeal which is the stock in trade of the demagogue, as well as a blundering and ineffective attempt to ape the poets. But that is all. However, it is not enough to find that the writer is not guilty of sedition because we are concerned with Section 4 of the Press (Emergency Powers) Act which travels wider than S. 124 A. We have therefore further to see whether these words tend directly or indirectly to incite to sedition, or, in the words of the Ordinance, whether they are intended or are likely to produce that effect. We say deliberately whether the words are likely to incite to sedition because, as the Federal Court points out, the formula of words used in S. 4, as also in the Ordinance, is precisely the formula used in S. 124 A, therefore to the extent of the formula the two things are the same. The only difference is that under the Press Act we have to consider not only whether there is sedition in fact but also whether the words tend, directly or indirectly, to excite to sedition and whether they are intended or are likely to produce that effect. We pause to observe that here, as in the case of reasonable doubt in criminal cases, and as in the case of putting in fear of hurt in a matter of assault, we must use the standards of reasonable, strong-minded, firm and courageous men, and not those of weak and vacillating minds, nor of those who scent danger in every hostile point of view. Using those standards we hold as a fact that the effects apprehended by the Crown and required by the section are not likely to be caused by this article, nor do the words used, viewed in their proper setting, tend to cause that effect. The paper is in English. It has a limited circulation. It is read by those who know and understand English. It is a party paper and is read mainly by persons who are politically minded. They are aware of contemporary

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> political thought and occurrences. They realise as well as any one else that neither His Excellency the Governor nor his advisers went round shooting and killing persons. They know that these acts were done by the troops and by the police. They know that there was a demand for an impartial investigation and a judicial enquiry. They know that the demand was refused and they know that the whole complaint, so far as Government is concerned, lies there. They are therefore no more likely to attribute to Government any greater responsibility than Mr. Jamnadas Mehta and other members of the Central Assembly did. They are as much aware as the writer that the appeal is for a constitutional change of Government by constitutional means. They were not, in our opinion, likely to interpret it otherwise. Therefore, in our judgment, the article does not tend, directly or indirectly to sedition, nor is it likely to produce that result. In out view, the applications should be allowed and the orders of forfeiture set aside. The costs should, we think, in each case be paid by the Crown."
>
> (emphasis added)

33. What is held by Bose and Puranik, JJ. has been quoted with approval in at least two cases. The first such case is in the decision of *Manzar Sayeed Khan* v. *State of Maharashtra*[4]. The second case is the decision in the case of *Ramesh* v. *Union of India*[5]. Finally, the view taken by Bose and Puranil, JJ., as the Judges of Nagpur High Court, is again quoted with approval by this Court in the case of *Javed Ahmad Hajam* v. *State of Maharashtra*[6]. This Court in the case of *Javed Ahmad Hajam*[6], was dealing with an offence punishable under Section 153-A of the IPC. Section 153-A of the IPC is *pari materia* with Section 196 of the BNS. The only difference is that the words 'or through electric communication' have been added in clause (a) of Section 196 of the BNS, which were not in clause (a) of Section 153-A of the IPC. When an offence punishable under Section 196 of BNS is alleged, the effect

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of the spoken or written words will have to be considered based on standards of reasonable, strong-minded, firm and courageous individuals and not based on the standards of people with weak and oscillating minds. The effect of the spoken or written words cannot be judged on the basis of the standards of people who always have a sense of insecurity or of those who always perceive criticism as a threat to their power or position.

INGREDIENT OF *MENS REA*

34. In the case of *Manzar Sayeed Khan*[4] and the case of *Patricia Mukhim* v. *State of Meghalaya*[7], the ingredient of *mens rea* has been read into Section 153-A of IPC by this Court. Paragraphs 8 to 14 of the decision in the case of *Javed Ahmad Hajam*[6], which analyses both the above decisions, read thus:

> "8. This Court in *Manzar Sayeed Khan* referred to the view taken by Vivian Bose, J., as a Judge of the erstwhile Nagpur High Court in *Bhagwati Charan Shukla* v. *Provincial Govt.* A Division Bench of the High Court dealt with the offence of sedition under Section 124-AIPC and Section 4(1) of the Press (Emergency Powers) Act, 1931. The issue was whether a particular article in the press tends, directly or indirectly, to bring hatred or contempt to the Government established in law. This Court has approved this view in its decision in *Ramesh* v. *Union of India.* In the said case, this Court dealt with the issue of applicability of Section 153-AIPC. In para 13, it was held thus:
>
> > "*13. … the effect of the words must be judged from the standards of reasonable, strong-minded, firm and courageous men, and not those of weak and vacillating minds, nor of those who scent danger in every hostile point of view.* … It is the standard of ordinary reasonable man or as they say in English law 'the man on the top of a Clapham omnibus'.

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(emphasis supplied)

Therefore, the yardstick laid down by Vivian Bose, J., will have to be applied while judging the effect of the words, spoken or written, in the context of Section 153-AIPC.

9. We may also make a useful reference to a decision of this Court in *Patricia Mukhim* v. *State of Meghalaya*. Paras 8 to 10 of the said decision read thus:

> "*8*. '*It is of utmost importance to keep all speech free in order for the truth to emerge and have a civil society*.'— Thomas Jefferson. Freedom of speech and expression guaranteed by Article 19(1)(a) of the Constitution is a very valuable fundamental right. However, the right is not absolute. Reasonable restrictions can be placed on the right of free speech and expression in the interest of sovereignty and integrity of India, security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of Court, defamation or incitement to an offence. Speech crime is punishable under Section 153-AIPC. Promotion of enmity between different groups on grounds of religion, race, place of birth, residence, language, etc. and doing acts prejudicial to maintenance of harmony is punishable with imprisonment which may extend to three years or with fine or with both under Section 153-A. As we are called upon to decide whether a prima facie case is made out against the appellant for committing offences under Sections 153-A and 505(1)(c), it is relevant to reproduce the provisions which are as follows:
>
> * * *

9. Only where the written or spoken words have the tendency of creating public disorder or disturbance of law and order or affecting public tranquillity, the law needs to step in to prevent such an activity. *The intention to cause disorder or incite people to violence*

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is the sine qua non of the offence under Section 153-AIPC and the prosecution has to prove the existence of mens rea in order to succeed.

10. The gist of the offence under Section 153-AIPC is the intention to promote feelings of enmity or hatred between different classes of people. The intention has to be judged primarily by the language of the piece of writing and the circumstances in which it was written and published. The matter complained of within the ambit of Section 153-A must be read as a whole. One cannot rely on strongly worded and isolated passages for proving the charge nor indeed can one take a sentence here and a sentence there and connect them by a meticulous process of inferential reasoning."

(emphasis in original and supplied)

10. Now, coming back to Section 153-A, clause (*a*) of sub-section (1) of Section 153-AIPC is attracted when by words, either spoken or written or by signs or by visible representations or otherwise, an attempt is made to promote disharmony or feelings of enmity, hatred or ill will between different religious, racial, language or regional groups or castes or communities. The promotion of disharmony, enmity, hatred or ill will must be on the grounds of religion, race, place of birth, residence, language, caste, community or any other analogous grounds. Clause (*b*) of sub-section (1) of Section 153-AIPC will apply only when an act is committed which is prejudicial to the maintenance of harmony between different religious, racial, language or regional groups or castes or communities and which disturbs or is likely to disturb the public tranquillity.

11. Now, coming to the words used by the appellant on his WhatsApp status, we may note here that the first statement is that August 5 is a Black Day for Jammu and Kashmir. 5-8-2019 is the day on which Article 370 of the Constitution of India was abrogated,

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and two separate Union Territories of Jammu and Kashmir were formed. Further, the appellant has posted that "Article 370 was abrogated, we are not happy". On a plain reading, the appellant intended to criticise the action of the abrogation of Article 370 of the Constitution of India. He has expressed unhappiness over the said act of abrogation. The aforesaid words do not refer to any religion, race, place of birth, residence, language, caste or community. It is a simple protest by the appellant against the decision to abrogate Article 370 of the Constitution of India and the further steps taken based on that decision. The Constitution of India, under Article 19(1)(a), guarantees freedom of speech and expression. Under the said guarantee, every citizen has the right to offer criticism of the action of abrogation of Article 370 or, for that matter, every decision of the State. He has the right to say he is unhappy with any decision of the State.

12. In *Manzar Sayeed Khan*, this Court has read "intention" as an essential ingredient of the said offence. The alleged objectionable words or expressions used by the appellant, on its plain reading, cannot promote disharmony or feelings of enmity, hatred or ill will between different religious, racial, language or regional groups or castes or communities. The WhatsApp status of the appellant has a photograph of two barbed wires, below which it is mentioned that "AUGUST 5 — BLACK DAY — JAMMU & KASHMIR". This is an expression of his individual view and his reaction to the abrogation of Article 370 of the Constitution of India. It does not reflect any intention to do something which is prohibited under Section 153-A. At best, it is a protest, which is a part of his freedom of speech and expression guaranteed by Article 19(1)(a).

13. Every citizen of India has a right to be critical of the action of abrogation of Article 370 and the change of status of Jammu and Kashmir. Describing the day the abrogation happened as a "Black Day" is an expression of protest and anguish. If every criticism or

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protest of the actions of the State is to be held as an offence under Section 153-A, democracy, which is an essential feature of the Constitution of India, will not survive.

14. The right to dissent in a legitimate and lawful manner is an integral part of the rights guaranteed under Article 19(1)(a). Every individual must respect the right of others to dissent. An opportunity to peacefully protest against the decisions of the Government is an essential part of democracy. The right to dissent in a lawful manner must be treated as a part of the right to lead a dignified and meaningful life guaranteed by Article 21. But the protest or dissent must be within four corners of the modes permissible in a democratic set up. It is subject to reasonable restrictions imposed in accordance with clause (2) of Article 19. In the present case, the appellant has not at all crossed the line."

Hence, *mens rea* will have to be read into Section 196 of the BNS. In this case, looking to the text of the words spoken and the context in which those were spoken, it is impossible to attribute any *mens rea* to the appellant.

IMPUGNED JUDGMENT

35. Now, we come to the impugned judgment. The decisions of this Court in the case of *Manzar Sayeed Khan*[4] and *Javed Ahmad Hajam*[6] were relied upon by the appellant before the High Court. Therefore, the High Court was aware that it was dealing with the appellant's fundamental right guaranteed under Article 19 (1)(a) of the Constitution. The High Court quoted both decisions extensively in the judgment. What is surprising is the finding recorded by the High Court. The finding on merits is only in paragraph 22 of the judgment, which reads thus:

"22. Looking to the tenor of the poem, it certainly indicates something about the throne. The responses received to the said post by other persons also indicate that message was posted in a

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> manner which certainly create disturbance in social harmony. It is expected from any citizen of India that he should behave in a manner where the communal harmony or social harmony should not be disturbed, and the petitioner, who is a Member of Parliament, is expected to behave in some more restricted manner as he is expected to know more about the repercussions of such post."

36. In the instant case, as we have seen, no *prima facie* case can be said to have been made out against the appellant qua the sections invoked. In such a case, registration of the FIR appears to be a very mechanical exercise and is a clear abuse of the process of law. In fact, registration of such FIR virtually borders on perversity. We are surprised that this very crucial aspect escaped the notice of the High Court. The High Court ought to have nipped the mischief at the threshold itself.

37. We fail to understand how the High Court concluded that the message was posted in a manner that would certainly disturb social harmony. Thereafter, the High Court gave a reason that the investigation was at a nascent stage. There is no absolute rule that when the investigation is at a nascent stage, the High Court cannot exercise its jurisdiction to quash an offence by exercising its jurisdiction under Article 226 of the Constitution of India or under Section 482 of the CrPC equivalent to Section 528 of the BNSS. When the High Court, in the given case, finds that no offence was made out on the face of it, to prevent abuse of the process of law, it can always interfere even though the investigation is at the nascent stage. It all depends on the facts and circumstances of each case as well as the nature of the offence. There is no such blanket rule putting an embargo on the powers of the High Court to quash FIR only on the ground that the investigation was at a nascent stage. If such embargo is taken as an absolute rule, it will substantially curtail the powers of the High Court which have been laid down and recognised by this Court in the case of *State of Haryana* v. *Bhajan Lal*[8].

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IMPORTANCE OF THE FREEDOM OF EXPRESSION AND THE DUTY OF THE COURTS

38. Free expression of thoughts and views by individuals or groups of individuals is an integral part of a healthy, civilised society. Without freedom of expression of thoughts and views, it is impossible to lead a dignified life guaranteed by Article 21 of the Constitution. In a healthy democracy, the views, opinions or thoughts expressed by an individual or group of individuals must be countered by expressing another point of view. Even if a large number of persons dislike the views expressed by another, the right of the person to express the views must be respected and protected. Literature including poetry, dramas, films, stage shows, satire and art, make the life of human beings more meaningful. The Courts are duty-bound to uphold and enforce fundamental rights guaranteed under the Constitution of India. Sometimes, we, the Judges, may not like spoken or written words. But, still, it is our duty to uphold the fundamental right under Article 19 (1)(a). We Judges are also under an obligation to uphold the Constitution and respect its ideals. If the police or executive fail to honour and protect the fundamental rights guaranteed under Article 19 (1)(a) of the Constitution, it is the duty of the Courts to step in and protect the fundamental rights. There is no other institution which can uphold the fundamental rights of the citizens.

39. Courts, particularly the constitutional Courts, must be at the forefront to zealously protect the fundamental rights of the citizens. It is the bounden duty of the Courts to ensure that the Constitution and the ideals of the Constitution are not trampled upon. Endeavour of the courts should always be to protect and promote the fundamental rights, including the freedom of speech and expression, which is one of the most cherished rights a citizen can have in a liberal constitutional democracy. The Courts must not be seen to regulate or stifle the freedom of speech and expression. As a matter of fact, the Courts

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must remain ever vigilant to thwart any attempt to undermine the Constitution and the constitutional values, including the freedom of speech and expression.

40. Before we part with this judgment, we must refer to two important judgments. More than two decades ago, a Full Bench of the Bombay High Court was examining an order of the Government of Maharashtra directing forfeiture of all copies, manuscripts etc. of a play called Mee Nathuram Godse Boltoy in *Anand Chintamani Dighe* v. *State of Maharashtra*[9]. While quashing the order of forfeiture passed by the Government of Maharashtra, Justice Dr. D.Y. Chandrachud (as he then was) speaking for the Bench observed that Government in that particular case seemed to have acted in the wake of the criticism voiced against the play and of the sense of outrage of those who believed that the play unfairly criticized the father of the nation. He highlighted the eternal values on which the Constitution of a democracy is founded. Acceptance of the freedom to express a view which may not accord with the mainstream are cardinal values. A society wedded to the rule of law cannot trample upon the rights of those who assert views which may be regarded as unpopular or contrary to the views shared by the majority. Right of the playwright, of the artist, writer and of the poet will be reduced to husk if the freedom to portray a message - whether it be in canvas, prose or verse - is to depend upon the popular perception of the acceptability of that message. Popular perceptions cannot override constitutional values such as the guarantee of freedom. Relevant portion of the aforesaid judgment is extracted hereunder with approval:

> "19. .....But, it is important to realise that there are eternal values on which the Constitution of a democracy is founded. Tolerance of a diversity of view points and the acceptance of the freedom to express of those whose thinking may not accord with the mainstream are cardinal values which lie at the very foundation of a democratic form of Government. A

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> society wedded to the rule of law, cannot trample upon the rights of those who assert views which may be regarded as unpopular or contrary to the views shared by a majority. The law does not have to accept the views which have been expressed by the petitioner in the play in order to respect the right of the petitioner as a playwright to express those views. Respect for and tolerance of a diversity of viewpoints is what ultimately sustains a democratic society and Government. The right of the playwright, of the artist, writer and of the poet will be reduced to husk if the freedom to portray a message - whether it be in canvas, prose or verse - is to depend upon the popular perception of the acceptability of that message. Popular perceptions, however strong cannot override values which the constitution embodies as guarantees of freedom in what was always intended to be a free society."
>
> (emphasis added)

41. In *Shreya Singhal* v. *Union of India*[10], this Court was examining the vires of Section 66A of the Information Technology Act, 2000 which provided for punishment for sending offensive messages through communication service etc. In the above context the Bench referred to Article 19(1)(a), Article 19(2), Preamble to the Constitution of India and the previous decisions of this Court and after a threadbare analysis observed that when it comes to democracy, liberty of thought and expression is a cardinal value that is of paramount significance under our constitutional scheme. It is one of the most basic human rights.

42. Following is the summary of our conclusions:

(i) Sub-Section (3) of Section 173 of the BNSS makes a significant departure from Section 154 of CrPC. It provides that when information relating to the commission of a cognizable offence

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which is made punishable for 3 years or more but less than 7 years is received by an officer-in-charge of a police station, with the prior permission of a superior officer as mentioned therein, the police officer is empowered to conduct a preliminary inquiry to ascertain whether there exists a *prima facie* case for proceeding in the matter. However, under Section 154 of the CrPC, as held in the case of *Lalita Kumari*[2], only a limited preliminary inquiry is permissible to ascertain whether the information received discloses a cognizable offence. Moreover, a preliminary inquiry can be made under the CrPC only if the information does not disclose the commission of a cognizable offence but indicates the necessity for an inquiry. Sub-Section (3) of Section 173 of the BNSS is an exception to sub-Section (1) of Section 173. In the category of cases covered by sub-Section (3), a police officer is empowered to make a preliminary inquiry to ascertain whether a *prima facie* case is made out for proceeding in the matter even if the information received discloses commission of any cognizable offence.

(ii) Under sub-Section (3) of Section 173 of the BNSS, after holding a preliminary inquiry, if the officer comes to a conclusion that a *prima facie* case exists to proceed, he should immediately register an FIR and proceed to investigate. But, if he is of the view that a *prima facie* case is not made out to proceed, he should immediately inform the first informant/complainant so that he can avail a remedy under sub-Section (4) of Section 173.

(iii) In case of the offence punishable under Section 196 of the BNS to decide whether the words, either spoken or written or by sign or by visible representations or through electronic communication or otherwise, lead to the consequences provided in the Section, the police officer to whom information is furnished will have to read or hear the words written or spoken, and by taking the same as correct, decide whether an offence under Section 196 is made

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out. Reading of written words, or hearing spoken words will be necessary to determine whether the contents make out a case of the commission of a cognizable offence. The same is the case with offences punishable under Sections 197, 299 and 302 of BNS. Therefore, to ascertain whether the information received by an officer-in-charge of the police station makes out a cognizable offence, the officer must consider the meaning of the spoken or written words. This act on the part of the police officer will not amount to making a preliminary inquiry which is not permissible under sub-Section (1) of Section 173.

(iv) The police officers must abide by the Constitution and respect its ideals. The philosophy of the Constitution and its ideals can be found in the preamble itself. The preamble lays down that the people of India have solemnly resolved to constitute India into a sovereign, socialist, secular, democratic republic and to secure all its citizens liberty of thought, expression, belief, faith and worship. Therefore, liberty of thought and expression is one of the ideals of our Constitution. Article 19(1)(a) confers a fundamental right on all citizens to freedom of speech and expression. The police machinery is a part of the State within the meaning of Article 12 of the Constitution. Moreover, the police officers being citizens, are bound to abide by the Constitution. They are bound to honour and uphold freedom of speech and expression conferred on all citizens.

(v) Clause (2) of Article 19 of the Constitution carves out an exception to the fundamental right guaranteed under sub-clause (a) of clause (1) of Article 19. If there is a law covered by clause (2), its operation remains unaffected by sub-clause (a) of clause (1). We must remember that laws covered by the clause (2) are protected by way of an exception provided they impose a reasonable restriction. Therefore, when an allegation is of the commission of an offence covered by the law referred to in clause

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(2) of Article 19, if sub-Section (3) of Section 173 is applicable, it is always appropriate to conduct a preliminary inquiry to ascertain whether a *prima facie* case is made out to proceed against the accused. This will ensure that the fundamental rights guaranteed under sub-clause (a) of clause (1) of Article 19 remain protected. Therefore, in such cases, the higher police officer referred to in sub-Section (3) of Section 173 must normally grant permission to the police officer to conduct a preliminary inquiry.

(vi) When an offence punishable under Section 196 of BNS is alleged, the effect of the spoken or written words will have to be considered based on standards of reasonable, strong-minded, firm and courageous individuals and not based on the standards of people with weak and oscillating minds. The effect of the spoken or written words cannot be judged on the basis of the standards of people who always have a sense of insecurity or of those who always perceive criticism as a threat to their power or position.

(vii) There is no absolute rule that when the investigation is at a nascent stage, the High Court cannot exercise its jurisdiction to quash an offence by exercising its jurisdiction under Article 226 of the Constitution of India or under Section 482 of the CrPC equivalent to Section 528 of the BNSS. When the High Court, in the given case, finds that no offence was made out on the face of it, to prevent abuse of the process of law, it can always interfere even though the investigation is at the nascent stage. It all depends on the facts and circumstances of each case as well as the nature of the offence. There is no such blanket rule putting an embargo on the powers of the High Court to quash FIR only on the ground that the investigation was at a nascent stage.

(viii) Free expression of thoughts and views by individuals or group of individuals is an integral part of a healthy civilised society.

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Without freedom of expression of thoughts and views, it is impossible to lead a dignified life guaranteed by Article 21 of the Constitution. In a healthy democracy, the views, opinions or thoughts expressed by an individual or group of individuals must be countered by expressing another point of view. Even if a large number of persons dislike the views expressed by another, the right of the person to express the views must be respected and protected. Literature including poetry, dramas, films, stage shows including stand-up comedy, satire and art, make the lives of human beings more meaningful. The Courts are duty-bound to uphold and enforce fundamental rights guaranteed under the Constitution of India. Sometimes, we, the Judges, may not like spoken or written words. But, still, it is our duty to uphold the fundamental right under Article 19 (1)(a). We Judges are under an obligation to uphold the Constitution and respect its ideals. If the police or executive fail to honour and protect the fundamental rights guaranteed under Article 19 (1)(a) of the Constitution, it is the duty of the Courts to step in and protect the fundamental rights. There is no other institution which can uphold the fundamental rights of the citizens.

(ix) 75 years into our republic, we cannot be seen to be so shaky on our fundamentals that mere recital of a poem or for that matter, any form of art or entertainment, such as, stand-up comedy, can be alleged to lead to animosity or hatred amongst different communities. Subscribing to such a view would stifle all legitimate expressions of view in the public domain which is so fundamental to a free society.

43. Though this judgment is authored by one of us (Abhay S. Oka, J.), it is based on valuable inputs by Ujjal Bhuyan, J.

44. In the circumstances, the impugned order deserves to be set aside. We, accordingly, quash and set aside the impugned order. We also quash and set aside FIR No. 11202008250014 of 2025, registered

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with City A-Division Police Station, Jamnagar, and further proceedings based thereon. The Appeal is accordingly allowed.

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[1] 2021 SCC OnLine SC 315

[2] (2014) 2 SCC 1

[3] 1946 SCC OnLine MP 5

[4] (2007) 5 SCC 1

[5] (1988) 1 SCC 668

[6] (2024) 4 SCC 156

[7] (2021) 15 SCC 35

[8] 1992 Supp (1) SCC 335

[9] 2001 SCC OnLine Bom 891

[10] (2015) 5 SCC 1

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2025 SCC OnLine SC 631

In the Supreme Court of India

(BEFORE J.B. PARDIWALA AND R. MAHADEVAN, JJ.)

Amit Kumar and Others ... Appellants;

Versus

Union of India and Others ... Respondents.

Criminal Appeal No. 1425 of 2025 (@SLP (CRL) No. 13324 of 2024)

Decided on March 24, 2025

Advocates who appeared in this case :

Mr. Mehmood Pracha, Adv., Mr. R. H. A. Sikander, AOR, Mr. Jatin Bhatt, Adv., Mr. Sanawar, Adv., Mr. Kshitij Singh, Adv., Ms. Nujhat Naseem, Adv., Mr. Sikander, Adv., For Appellant(s)

Mr. Brijender Chahar, A.S.G., Ms. Mrinal Gopal Elker, AOR, Ms. Chhavi Khandelwal, Adv., Ms. Shruti Verma, Adv., Mr. Mukesh Kumar Maroria, AOR, Mr. Abhijit Pandove, Adv., Mr. Amit Sharma II, Adv., Mrs. Bani Dikshit, Adv., Mr. Varun Chugh, Adv., Mr. Gaurang Bhushan, Adv., Ms. Mrinal Gopal Elker, Adv., Ms. Chhavi Khandelwal, Adv., Mr. Aditya Chaudhary, Adv., For Respondent(s)

JUDGMENT

For the convenience of exposition, this judgment is divided into the following parts:

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A. FACTUAL MATRIX
B. SUBMISSIONS ON BEHALF OF THE APPELLANTS
C. SUBMISSIONS ON BEHALF OF THE RESPONDENT NOS. 2, 3, 4 AND 7 RESPECTIVELY
D. SUBMISSIONS ON BEHALF OF THE RESPONDENT NO. 5-IIT DELHI
E. ANALYSIS
i. Scope of Section 174 of the CrPC
ii. F.I.R. under Section 154 of the CrPC
F. CONCLUSION
G. NATIONAL TASK FORCE TO ADDRESS THE MENTAL HEALTH CONCERNS OF STUDENTS AND PREVENT THE COMMISSION OF SUICIDES IN HIGHER EDUCATIONAL INSTITUTIONS

1. Leave granted.

2. This appeal arises from the judgment and order passed by the High Court of Delhi, dated 30.01.2024, in Writ Petition Criminal No. 2945 of 2023 by which the High Court rejected the writ application filed

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by the appellants herein declining to issue a writ of mandamus to the Police for the purpose of registration of a First Information Report (for short, "F.I.R.") in connection with the commission of suicide by two students - sons of the appellant no. 2 and appellant no. 3 herein respectively - while they were studying at the Indian Institute of Technology, Delhi (for short, "IIT, Delhi").

A. FACTUAL MATRIX

3. We propose to borrow the facts giving rise to this appeal straight from the impugned judgment of the High Court. The same reads thus:

"1. The present petition under Article 226 and 227 of the Constitution of India has been filed by the petitioners with the following prayers:—

"a) to issue an appropriate writ, order or direction including a writ in the nature of mandamus, thereby directing the police authorities or Respondent No. 6 to register appropriate FIRs in the cases involving the deaths of the sons of Petitioner No. 2 and Petitioner No. 3; and

b) to issue an appropriate writ, order or direction including a writ in the nature of mandamus, thereby directing the investigation of the cases to be done by Respondent No. 6; and

c) to issue an appropriate writ, order or direction including a writ in the nature of mandamus, thereby directing the Respondent No. 6 to conduct a thorough, impartial investigation into the caste based atrocities being committed in the premises of Respondent No. 5; and

d) monitor the investigation of the case; and

e) direct an independent inquiry into caste based atrocities being committed in the premises of Respondent No. 5; and

f) to issue an appropriate writ, order or direction including a writ in the nature of mandamus, thereby commanding the Respondents to ensure strict compliance and implementation of provisions of SC/ST(POA) Act, 1989 and rules and regulations under the SC/ST(POA) Rules, 1995.

g) pass any other or further orders, as this Hon'ble Court may deem fit and proper in the circumstances of the present case."

2. In brief the facts of the case are that Complaints dated 26.07.2023 and 09.09.2023 were filed by the petitioners who are the parents of two deceased students of B.Tech (Mathematics and Computing) at Indian Institute of Technology, Delhi, wherein, it was alleged that one student, namely, Ayush Ashna was found dead on 08.07.2023 at his Hostel Room No. WH-02, Seventh Floor, Udaigiri Hostel, IIT, New Delhi and another student, namely, Anil Kumar was found dead on 01.09.2023 in his Hostel

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Room No. EA-18, Ground Floor, Vidhyachal Hostel, IIT, New Delhi. It is alleged in the complaints that they were murdered with the conspiracy of IIT Faculty members to hide the real facts and both the students have been falsely shown to have committed suicide. It is further alleged in the complaints that both the students belonged to Scheduled Castes and they had informed their parents several times regarding caste discrimination by the faculty/staff of IIT, Delhi and therefore, the petitioners alleged that the faculty members are trying to save the real accused persons and the police officials are also not investigating the matter in a proper manner. In view of the above said complaints, an enquiry was conducted in both the cases.

3. *As per the Status Report filed by the Ld. ASC, postmortem of the deceased Ayush Ashna was conducted vide PM No. 1500/23, wherein the cause of death was held to be "asphyxia as a result of hanging due to ligature". During the course of enquiry, statements of father, brother, other relatives and friends of the deceased were recorded in which it was found that the deceased had failed in some of the subjects in the prior semester exams due to which he was under depression. They further denied any foul play or any suspicion regarding the death of deceased. Father of the deceased, namely, Ramesh Kumar had later given a written complaint in the police station, in which he alleged that his son Ayush Ashna was facing caste based discrimination by his hostel mates and other faculty members during the beginning of his academic year 2019-2020 and he also suspected in the complaint that his son could not have taken such steps and someone might have killed his son with the connivance of faculty members. Therefore, to clarify the facts, the grade reports of Ayush Ashna were collected from IIT and it was found that during the 2nd semester of year 2022-2023, he had failed in some of the subjects and got lower grades i.e., Grade F which stands for Very Poor in 5 out of 7 subjects. During further enquiry, several other students of IIT, Delhi who belonged to Scheduled Castes and Scheduled Tribes were also examined, wherein none of them reported any caste-based discrimination against any of them.*
4. *In the case of* Anil Kumar, *postmortem of the deceased was conducted vide PM No. 2048/23 wherein the cause of death was held to be "asphyxia consequent to ante-mortem compression of neck by ligature". During the course of enquiry, statements of the brother, mother, other relatives and friends of the deceased were recorded who stated that due to scoring less marks in exams, deceased was under stress. They further denied any foul play or any suspicion regarding the death of deceased. Brother of the*

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deceased, namely, Amit Kumar had later given a written complaint in the police station, in which he alleged that Anil Kumar was facing caste- based discrimination by his teachers and other faculty members. He also suspected in the complaint that his brother could not have taken such steps and someone might have killed him with the connivance of faculty members and the faculty members are also trying to save the real accused persons. He further alleged in his complaint that there was some kind of bleeding from the ears of the dead body and blood stains were scattered all over the room and thus, the same does not appear to be an incident of suicide.

5. *Accordingly, further enquiry was conducted in the case wherein it was found that Anil Kumar had taken admission in IIT Delhi in 2019 vide Entry No. 2019 MT10674 in B.Tech (Mathematics and Computing) and he was allotted Room No. SD-11, Vindhyachal Hostel at the time of admission. During the semester period of 2020-2021 and 2022-2023, he got low grades in some of the subjects. Deceased Anil Kumar extended his stay at the hostel for the preparation of remaining subjects and completing the course and the same was granted by the relevant department immediately. Subsequently, he was allotted Room No. EA-18, Vindhyachal Hostel. The deceased could not clear some subjects and was residing in hostel on further six months extension. As per the rules, his hostel was to be vacated in June but as he could not qualify some subjects, he was given extension for six months to clear the exams.*
6. *On further verification of facts, it was revealed that the deceased passed all the subjects in 1st year but he later failed in two subjects out of seven subjects in 3rd semester. Thereafter, in 4th semester he took only one subject and failed in the same, in the following year (2021-22) he failed to pass any subject, in 7th semester he failed in one subject out of six subjects and finally in 8th semester he failed in two subjects out of six subjects and therefore, he was given an extension to clear all the subjects. Furthermore, Hostel allotment letters were also analyzed and it was found that there was no column revealing the category of the students as to whether she/he belongs to SC/ST/General category in any of the form and only entry number was mentioned in all the forms and thus, no evidence of caste-based discrimination against the deceased was found."*

4. Thus, it appears from the aforesaid that two young boys aspiring to be engineers were found dead in their respective hostel rooms under suspicious circumstances. Ayush Ashna was found dead on 08.07.2023

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in his hostel room No. WH-02 situated on the 7th Floor, Udaigiri Hostel, IIT, New Delhi, whereas, Anil Kumar was found dead on 01.09.2023 in his hostel room No. EA-18 situated on the Ground Floor of Vindhyanchal Hostel at IIT Delhi.

5. It appears from the materials on record that the father of Ayush Ashna lodged a complaint with the Dy. Commissioner of Police, South-West District, New Delhi, dated 21.07.2023, which reads thus:

"

Seal-
OFFICE OF THE DEPUTY
COMMISSIONER OF POLICE
SOUTH WEST DISTRICT
RECEIVED BY:
DHARAMPAL
SIGNATURE:
SD/
Dated : 26.07.2023
Dated : 21.07.2023

To
The DCP
(South West District)
Vasant Vihar, New Delhi-l10067

Subject : Complaint against the death of Ayush Ashna s/o Ramesh Kumar, student of 4th year B.Tech.(Mathematics and Computing) IIT, Delhi, Hauz Khas, New Delhi-110016.

1. The complainant is the unfortunate father of the deceased son Ayush Ashna, student of 4th year B.Tech, (Mathematics and Computing) BT, Delhi residing at his room No. WH-02, Udaigiri Hostel, IIT Delhi-110016 and with heavy heart I am formally filing a complaint regarding the tragic death of my beloved son, Ayush Ashna, on midnight of 8th July, 2023 and I believe there circumstances surrounding his death that warrant a thorough investigation by your esteemed department and my son, Ayush Ashna was a 21 year old student who had a bright future ahead of him. His sudden and unnatural death has left us devastated and searching for answers. While I recognize that all of sudden and untimely and unnatural deaths have external causes and I have also reason to believe that there may have been factors contributing to his untimely and unnatural deaths, and I implore you to investigate the matter impartially and thoroughly and I seek a comprehensive investigation into the

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events leading up to our son's untimely and unnatural death.

2. *That my deceased son Ayush Ashna was a brilliant student from his school days, and in his first attempt he had cracked the prestigious JEE-Advanced 2019 exam and on the basis All India Rank in SC Category qualified to be admitted in First year of B.Tech. (Chemical Engineering) in IIT, Delhi in the academic year 2019 as this was proud moment for parents and relatives as their elder son also passed out from IIT, Delhi by completing B.Tech. (Civil Engineering) in the same year.*
3. *That my deceased son, since beginning of the academic year 2019-2020 started facing caste based discrimination by his hostel mates and other faculty members however the complainant advised the deceased son to focus on his study only and over the time the all things will come in order.*
4. *That my deceased son Ayush Ashna was full of life and he always remained in touch with his mother and his elder brother as both residing in Delhi and with some close relatives who are also residing in Delhi.*
5. *That my son changed his department from B.Tech (Chemical Engineering) to Department of Mathematics and Computing which clearly demonstrate that my son was doing well in study and might have a bright future ahead.*
6. *That he had changed his hostel residence from Jwalamukhi Hostel to Udaigiri Hostel after his category was disclosed in a published branch change list. He told that he noticed a change in his friends behaviour as they grew distant and rarely talked to him.*
7. *That after COVID-19 restrictions were lifted and all students were allowed back to their respective hostel so as my deceased son Ayush Ashna took, residence in Udaigiri Hostel, IIT Campus, Delhi and was doing well and in his study.*
8. *That during his final year at B.Tech., he had not performed well in some papers and thereafter he decided to stay in same Hostel for further studies and also registered in a summer course conducted by Mathematics and Computing in this regard.*
9. *That it is pertinent to mention that, 1st July, 2023 was my deceased son's 20th birthday and was greeted by his mother and brother and other near and dears and on phone he also discussed with his elder brother about further studies and other future prospect.*
10. *That on 5th July 2023 his elder brother and his mother called on his phone many times but no response was received and at*

night of 5th July 2023 the elder son and my wife alongwith her brother went to Udaigiri Hostel where the family of the deceased kept at dark for an hour and later on it was disclosed by the IIT Hostel authorities to his family present at hostel on the night of 8/9 July 2023 that the my son was left this material world by hanging himself.

11. That after hearing this tragic and devastating news my elder son and my wife alongwith her brother lost conscious and went into unconscious stage as it was very hard to believe that how my young son of age of 21 years can take such extreme step as he had yesterday celebrated birthday.

12. That as it was so informed, by my wife and my elder son and my brother-in-law present at that time that the deceased son Ayush was found hanging, from his study desk with his knees resting on a small trolley bag and by looking the body its seems that someone murdered my son and tied rope and wires around his neck which was attached to leg of his of four feet study table, later on some crime team arrived and took some photographs of the crime scene.

13. That was informed by my wife and my elder son and my brother-in-law (mama of deceased Ayush Ashna) it is also pertinent to mention here that by instant appearance of sitting posture of body has been hanged by someone else as there may not be sufficient pressure on neck in sitting posture of person and when height of body is more than 5.8 feet.

14. That the IIT Delhi administration since beginning of the present tragic incident.

15. That it is highly improbable that my son can hang himself from with the table with the height of around four feet as my son was around 5.8 feet tall and weighed around 75-80 kg. as it is also important to mention here that during the periods of last four years with his stay in IIT Delhi not a single person complained against him about anything.

16. That IIT, Delhi as an educational institution, it is of utmost importance to prioritize the well-being of students specially hailed from marginalized society. The loss of my deceased son Ayush Ashna is not just an isolated incident but a reflection of potential systemic deficiencies in the support and resources available to students facing caste based discrimination and harassment I feel compelled to bring the issue to your attention.

17. That Conduct a thorough investigation into the circumstances leading to untimely and unnatural death of my son Ayush

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Ashna and assess whether any deliberate negligence or oversight contributed to this tragedy.

18. *That the biased attitude of IIT Delhi is also neglecting in the conduct of the IIT Delhi administration as on the fateful night, the concerned person IIT Delhi prevented, the mother, brother and mama (maternal uncle) to follow the ambulance upto the Safdarjung Hospital and confined the aforesaid person into IIT guest house and on 9th July 2023 ambulance booked by the person concerned present at mortuary, Safdarjung Hospital broke down midway and adding insult to injury replacement ambulance arrived without equipped with freezer resultant body decomposed rapidly and according the complainant was forced by circumstances to perform last rites in the honour of departed soul during midnight.*
19. *That the till date no FIR, has been registered against the person/s responsible for tragic demise of my son Ayush.*
20. *That, the IIT Delhi administration is in process of suppressing vital information and playing down the tragic demise of my son Ayush and treating it as an another suicide case of due to study stress. And not even considering the possibility of murdering of the student of the marginalized society.*
21. *That as a grieving parents, we understand that this investigation cannot bring our son back, but we hope that it may shed light on the circumstances surrounding his untimely and unnatural death of my son Ayush and further under the facts and circumstances as explained herein above, you are kindly requested to order for registration of FIR against the person involved in this well planned of our beloved young son Ayush Ashna and thorough and impartial investigation be made into the case against the person responsible for doing such heinous crime.*
22. *That it is my sincere hope that your esteemed department will take this complaint seriously and act promptly to do justice. By doing so, the esteemed department can demonstrate its commitment to the well-being of its students hailed from marginalized society and create a supportive environment that fosters growth and resilience.*

Sd/-
(Ramesh Kumar)
Father of deceased son Ayush Ashna
R/o Plot No. 26, Lane No. 8,
Rameshwaram Colony, Sacred Heart School
Bareiily-243122

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M. No. 9068401586."

6. In the same manner, on 09.09.2023, the elder brother of Anil Kumar lodged a complaint in writing with the Station House Officer, Kishangarh, New Delhi which reads thus:

"Dated : 09.09.2023

To,

Station House Officer

Kishangarh, New Delhi

Subject : Regarding the fearless murder of my younger brother Anil Kumar, S/o Suresh Kumar - Village Anosa, District Banda, Uttar Pradesh. In connection with the brutal murder due to racial hatred at IIT Delhi,

Sir,

I, Amit Kumar S/o Suresh Kumar, Village Anosa District Banda, Uttar Pradesh. Date 01.09.2023 in 7 : 25 I received call from someone who is saying I am professor, Aditya Mittal, who are of you Anil Kumar? I told him I am his elder brother. Then he said that Anil Kumar has committed suicide. After that I received lots of call from different phone numbers.

Between the calls a college security officer named Balram Yadav also Call me (mob no. 9650612090) and told me that Anil Kumar committed suicide.

Then around 10 : 30 PM Mobile No. 991632959, 1 got call saying that I am calling from Kishangarh IIT Delhi Anil Kumar committed suicide come to Delhi. I with my brother Aashis Kumar, brother in law Vimal Kumar, brother in law Vinod Kumar, mother Vidya Devi, wife Sunaina devi left for Delhi.

On Dated 2-9-23 approx 7 : 30 AM we reached to Delhi. We called the same mobile number of Kishangarh police station and said, we have reached to Delhi but we are not able to find the way to the police station, you come and take us. Police said, you come yourself, we cannot come, we can send you the location. I said I don't understand. But police did not come to us.

After that I called Balram Yadav stating that I don' t know the way to the College, please send someone to pick me up. So they sent two guards who took us to the college guest house and did not give us any information for the next 2 hours. On our continued request, we were taken to Anil Kumar's hostel Vindhyanchal. Where the gate was locked. When we asked the college to open the lock, they said that the key is with the police.

Then someone told that there is a window, it will be visible from there, when I looked through the window, there was a lot of blood on the table and floor in the room. There were some other things lying

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in the room. We took videos and photos, then after seeing all this I said that my brother was murdered because of caste hatred. This is not suicide, my brother cannot commit suicide. He knew very well the situation at home and the circumstances how were we teaching him. On 27-08-23 I sent Anil Kumar 15,000/- money for buying new mobile phone. On 29-08-23 he called me and told me that the mobile is working well. Then I asked him, is there anything like that? So he told me that sometimes inappropriate case based words are used by the teacher. Then I called 9971632959, which is SI Dharmendra ji's mobile number, I told him that my brother was murdered, he is not commit suicide. Our family members were deeply shocked by Anil's murder.

SI Dharmendra ji asked me to come Kishangarh police station, I again said, I do not know the way to Kishangarh police station.

Then he said that you have to come here. At around 11 : 00 a.m., Balram Yadav or some other people brought us to Kishangarh police station. At the police station, SI Dharmendra ji showed the video on mobile and laptop, I watched the video and told SI Dharmendra ji that this was not suicide but murder due to caste hatred. But he did not agree and kept saying again and again that it was suicide not murder. Then he introduced us to SHO Sir. SHO Sir said that his marks were low and he had failed in one subject, due to which he committed suicide. We said, again because of caste hatred Anil was murdered. We have come from his college, professor Simon a madam who was his professor told us that Anil was very good in, studies, his marks never go down, nor can he commit suicide still police officials said it was suicide, not murder. Then we were made, to sign many papers and at around 12 : 10 pm, the police took us to ACT Yadav Sir of Sarojini Nagar police station, he also told us that Anil Kumar had committed suicide because his number was low then. I told him that 1 had talked to Anil Kumar on 29-08-23, he had told that sometimes, inappropriate case based words are used by the teacher otherwise everything is OK. Sir, he has been murdered. We demand CBI investigation for my brother at approx 12 : 40 pm police officer take us to Safdarjung hospital. Were got a lot of papers signed at the police station in the hospital. When the media persons tried to talk to us in. the hospital, the police told us that we cannot talk to the media. We kept requesting the police to show the body of Anil Kumar for 2 hours, but the police refused. Then before the post mortem at 2 : 40 pm they took me, Vinod Kumar and Aashis to see the body. When we saw the body of Anil Kumar, there was red coloured cloth on the neck, we tried to remove the cloth the police or the doctor told us that the cloth could not be removed or nor we touch the body. Anil was murdered because of

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ruthless caste hatred, despite our repeated requests for the reason of asking the police did not remove the cloth and said that a video is being made, you can watch it. Blood was coming out from the ears of Anil Kumar and there was a lot of smell from the body, then we came out, after the post mortem we asked the police to show the CCTV camera of the college and Anil Kumar's room. The police showed the video of 10 or 15 minutes, after that they told us this will take time don't waste time. I. asked the police office to give us the CCTV videos or to record the videos The policeman kept our phones, safe in his car and said that we could not make videos. Then we were taken to Anil Kumar's room. There was a lot of blood and other things lying on the table or floor of the room. Then, I told to the police that how could this much of blood come from hanging. This is a murder committed due to caste hatred. Then we took the body from, the hospital and came to the Banda and after coming to Muktidhaam we opened the body and saw that there was soot on his mouth, hand and foot. We did videos and photos and on 03-09-2023 at 9 : 45 am Ani's last rites were performed then I remembered ones when Anil Kumar comes to home in may on vacation. Then he told me that, by the some of the college teacher always used caste indicative word and they said that 'how did you came here, you don't have right to study, this is not for you guys.' I called SI Dharmendra ji three four times, but he did not pick up my call. Then I called later to asking when will the PM report come, he said that it will be received after 15 days, then I said why is it getting so late, he said, this is what happens. Just like my brother Anil Kumar was murdered on the basis of caste hatred.

Similarly, something similar happened with Ayush student of the same department. And I have come to my knowledge that SC caste students are treated very badly in IIT Delhi.

I request you Sir that my brother Anil Kumar has been murdered because of Caste Hatred. So register a case against culprits and take legal action. I want justice.

Sd/-
Amit Kumar
Applicant
Dated
09.09.2023."

7. The record further reveals that a letter was addressed by an Advocate named Mahmood Pracha of New Delhi to the Chief Secretary, Government of National Capital Territory of Delhi on 13.09.2023, seeking directions to the Delhi Police to register the F.I.R. in connection with the suspicious deaths of the two students referred to above. The

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letter reads thus:

"Dated 13th September 2023

To

The Chief Secretary

Government of National Capital Region of Delhi

Delhi Secretariat, IP Estate,

New Delhi-110002

Subject : Request for directions to Delhi Police for registering FIR and effective and proper implementation of provisions of the Criminal Procedure Code and provisions under the Schedule Caste and Scheduled Tribes (Prevention of Atrocities) Act and Rules made thereunder-Regarding-

Dear Sir,

I am constrained to inform you about the caste-based atrocities that were committed on the members of the following families belonging to the Scheduled Caste community due to which they have lost their sons who were studying at Indian Institute of Technology New Delhi.

The members of both the families have exercised their rights-under Section 15-A(12) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Hereinafter referred to as "SC/ST(POA) ACT" and Rule 4(5) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Rules, 1995 (Hereafter referred to as SC/ST (POA) Rules), which provide that the atrocity victims have the right to take assistance from NGOs, social workers or Advocates, and have sought my assistance as an Advocate to pursue their ease as they are facing continuous hardships, and further atrocities, from the erring Government/police officials in the murder of both the victims/deceased namely Mr Anil Kumar s/o late Shri Suresh Kumar resident of Banda District of Uttar Pradesh, and Mr. Ayush Ashna s/o Mr. Ramesh Kumar, resident of Bareilly, U.P.

Pursuant to their request for assistance under Section 15-A(12) "SC/ST (POA) Act" and Rule 4(5) "SC/ST (POA) Rules"), I have met the members of both families of the victims/deceased, namely Anil Kumar s/o late Shri Suresh Kumar resident of Banda District of Uttar Pradesh, and Mr. Ayush Ashna s/o Mr. Ramesh Kumar resident of Bareilly, U.P. After the meetings based on the information given to me by them, which clearly shows gross culpability on part of police, teachers, professors, other officials, and some of unknown students in these cases, in helping the accused to escape the lawful punishment, I am compelled to inform you that there has been a flagrant violation/disobedience of most of the mandatory provisions of the SC/ST (POA) Act by various officials.

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The brief facts of both the matters are given below which are elaborated in the respective complaints.

a) Mr. Amit Kumar S/O late Shri Suresh Kumar, a resident of Village Anousa, Distt. Banda Uttar Pradesh presently residing at New Delhi has filed a complaint with SHO Kishan Garh New Delhi vide DD No. 71A dated 9th September 2023 and also with the office of Deputy Commissioner of Police (DCP) on 11/09/2023 vide diary No 11416 regarding gruesome and brutal murder of his younger brother, Mr. Anil Kumar, under mysterious circumstances due to caste related atrocities and discrimination committed on 01.09.2023 upon him in the premises of Indian Institute of Technology, Delhi, wherein he was studying. A copy of the said complaint is attached herewith as Annexure-I.

b) Another complaint filed by Mr. Ramesh Kumar, a resident of Rameshwar Colony, Bareilly with the Office of Deputy Commissioner of Police (South West), Vasant Vihar New Delhi on 26.07.2023 vide diary No. 9584 regarding gruesome and brutal murder of his son Mr. Ayush Ashna again tinder mysterious circumstances, due to caste related atrocities committed upon him and caste based discrimination in the premises of IIT, Delhi, who was studying there and residing in Udaigiri Hostel of Indian Institute of Technology, New Delhi. A copy of the said complaint is also attached herewith as Annexure-II.

Needless to say that both the families are devastated by unnatural and mysterious death of victims (deceased persons) and they are running from pillar to posts for the justice so that guilty are punished. However, the Police have not registered any FIR in either case so far.

In this regard, the following submissions are made for your kind perusal and immediate action.

1. That in both the cases, there are serious allegations of gruesome murder of their sons, who were otherwise quite academically brilliant, due to cast based, atrocities and discrimination in the IIT Delhi.

2. That under the provisions of SC/ST(POA) Act, 1989, it is mandatory to lodge an FIR without any preliminary enquiry or investigation, as mandated under section 18 A of the Act.

3. That Rule 5 of the SC/ST (PoA) Rules, 1995 also provides that every information relating to the commission of an offence under the Act, if given orally to an officer in-charge of a police station, shall, be reduced to writing by him or under his

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direction, and be read over to the informant, and every such information, whether given in writing, or reduced to writing as aforesaid, shall be signed by the persons giving it, and the substance thereof shall be entered m a book to be maintained by that police station.

4. *That the Hon'ble Supreme Court of India, in* Lalita Kumari *v.* State of UP *has held that "Registration of FIR is mandatory under Section 154 of the Code, if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation".*
5. *That provisions under Section 4(2) of the SC/ST(POA) Act, 1989 provides for certain duties of public servant referred to in sub-section (1) that includes -*
   a) *to read out to an informant the information given orally and reduced to writing by the officer in charge of the police station before taking the signature of the informant.*
   b) *to register a complaint or a First Information Report under this Act and other relevant provisions and to register it under appropriate sections of Act;*
   c) *to furnish a copy of the information so recorded forthwith to the informant;*
6. *That any violations of the provisions under SC/ST(PoA) Act and dereliction of duty referred to in sub section (2) by a public servant entails penal proceeding against such public servant.*
7. *That the section 15A of the said Act provides for the statutory duty and responsibility of the State to make arrangements for the protection of various rights of the victims, their dependents as laid down therein, and to ensure the implementation of such rights and entitlements of the victims, and witnesses in accessing the justice.*
8. *That section 17 of the said Act casts an obligation upon the District Magistrate, or a Sub-Divisional Magistrate, or any Executive Magistrate, or even any Police officer, to declare such an area to be an area prone to atrocities where such atrocities are committed or likely to be committed and take necessary preventive action.*
9. *That Section 21 provides that the State Government shall take such measures as may be necessary for effective implementation of the Act.*
10. *That Rule 3 of the SC/ST(PoA) Rules, 1995, provides that State government shall take precautionary and preventive measures with a view to prevent atrocities on the Scheduled Caste and Scheduled Tribes including identification of the area*

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where it has reason to believe that atrocity may take place, constitution of a high power State-level committee, district and divisional level committees, or such number of other committees as it may deem proper and necessary for assisting the Government in implementation of the provisions of the Act, to setup a vigilance and monitoring committee to suggest effective measures to implement the provisions of the Act, etc.

11. That the provisions of other various Rules under the SC/ST (PoA) Rules, 1995 provide for the obligations and duties on the State Government such as setting up of the Scheduled Castes and the Scheduled Tribes Protection Cell under Rules 8, Nomination of Nodal Officers under Rule 9 for coordinating the functioning of the District Magistrates, and Superintendent of Police, or other officers authorized by them, investigating officers and : other officers responsible for implementing the provisions of the Act, Measures to be taken by the District Administration under Rule 12, specific responsibility of the state Government under Ruie 14 to make necessary provisions in its annual budget for providing relief and rehabilitation facilities to the victims of atrocity, to frame contingency Plan under Rule 15 for implementing the provisions of the Act and notify the same in the : Official Gazette of the State Government, Constitution of State Level high power Vigilance and Monitoring Committee under Rule 16, District level committee under Rule 17 and Sub Divisional Level under Rule 17A, to review the implementation of provisions of the Act, relief and rehabilitation facilities provided to the victims, and other matters connected therewith, prosecution of cases under the Act, role of different officers/agencies responsible for implementing the provisions of the Act, etc.

12. That despite the above provisions contained in said SC/ST (PoA) Act, 1989 and Rules made thereunder, and directions issued by Hon'ble Supreme Court of India in Lalita Kumari *v.* State of UP, *police have not yet registered FIR in both the matters in respect of above mentioned complaints cases, and hence flouted all the provisions of the said Act and Rules made thereunder, but also the provisions of Criminal Procedure Code.*

In view of the above circumstances, and fact of the above-mentioned cases, you are humbly requested to kindly issue necessary directions to the Police to lodge FIR in both the cases at tile earliest and provide the copy of the same to the complainants.

You are also requested to kindly order for immediate compliance of all the above-named provisions of the SC/ST (POA) Act, 1989 and SC/ST (POA) Rules, 1995 made thereunder by the concerned

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officials.

You are also requested to take immediate action under Section 4 of the SC/ST (POA) Act, 1989 against the concerned police officials of concerned police station namely Kishan Garh, and concerned DCP office of Vasant Vihar for not registering the FIR and deliberately changing the true version given by the, family members of the deceased to help the erring police/government officials, and also action against other officials for not undertaking their duties as per the mandate of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989, who have till now disobeyed the above-mentioned mandatory provisions of the SC/ST (POA) Act, 1989.

Thanking you
Mehmood Pracha
Advocate
C-66, Second Floor Nizamuddin East
New Delhi, 110013
Ph. No. 011-41404040"

8. The record reveals that all that was done by the Police was an inquiry under Section 174 of the Code of Criminal Procedure (for short, "the CrPC"). At the end of the inquiry, the Police reached the conclusion that the two students had committed suicide due to depression. In other words, the Police closed the matter saying that the two students were unable to cope up with the pressure of their respective studies and in such circumstances they both committed suicide in their respective hostel rooms.

9. However, the fact remains that at no point of time the Police thought fit to register the F.I.R. in accordance with the provisions of Section 154 of the CrPC and carry out the investigation in accordance with law, more particularly when complaints were lodged - one by the father and another by the brother of the two students *prima facie* disclosing commission of a cognizable offence.

10. In such circumstances referred to above, the appellants herein preferred a writ petition before the High Court of Delhi and prayed for issuing a writ of mandamus to the Police to register an F.I.R. and undertake the investigation.

11. The Delhi High Court declined to entertain the writ petition and rejected the same.

12. In such circumstances, the appellants are here before this Court with the present appeal.

B. SUBMISSIONS ON BEHALF OF THE APPELLANTS

13. The appellants in their written submissions have stated thus:

"i. That the present Written Submissions are being filed by the

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Petitioners in terms of the Order dated 07.01.2024 passed in the present SLP.

ii. *That the Petitioners have filed the present SLP against the impugned Order dated 30.01.2024 passed by the Hon'ble High Court of Delhi in Writ Petition (Criminal) No. 2945 of 2023, whereby the Writ Petition filed, inter alia, by the Petitioners for registration of FIRs in respect of the death of two students of the IIT Delhi, i.e. the respective sons of the Petitioners No. 2 and 3, was dismissed.*

iii. *That despite categorical Complaints (Annexure P-1 @ page 56 of the SLP and Annexure P-2 @ page 63 of the SLP) given by the Petitioners, which disclosed several cognizable offences, the Police had failed to register the FIRs. The Police had merely conducted an eyewash inquiry as part of the inquest proceedings, and had recorded false statements attributed to the Petitioners and their family members (Please refer to Paragraph 10 of the Counter Affidavit, and respective Paragraph Wise Rejoinders filed by the Petitioners) in order to present a case of suicide of the deceased students. It is submitted that the Petitioners No. 1 and 2 had stated in their Complaint itself (Annexure P-2) that they had been asked to sign on several papers without being informed about their nature.*

iv. *That the Petitioners had filed the Writ Petition before the Hon'ble High Court on account of the extremely biased and prejudicial conduct on part of the concerned Police officials, who had categorically stated that they would not register an FIR under any circumstances, and would be willing to face any consequences (Please refer to Paragraph 13 of the original Writ Petition Annexure P-4 @ page 96 of the SLP). The Petitioners had also, inter alia, sought a CBI investigation before the Hon'ble High Court, and monitoring of such investigation. As such, in these circumstances, an application under Section 156(3) of the CrPC was not an efficacious remedy for the Petitioners.*

v. *That it is further submitted that the Hon'ble High Court had failed to appreciate that even if the case of the Police is taken at its face value, and it is assumed that the students died due to suicide, it is still incumbent on the Police to register the FIRs on the Complaints made to it, and investigate the abetment of such possible suicide within the campus of the IIT Delhi.*

vi. *That it is submitted that the IIT Delhi Administration had failed to put forth its case before the Hon'ble High Court, and has failed to even appear before this Hon'ble Court despite service, to present its version of events, and its stand. There has been no manner of support or assistance by the IIT Delhi Administration for the*

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parents and the family members of the deceased students. It is submitted that such oblivious and disinterested conduct on part of the IIT Delhi Administration, towards a case involving the death of its two students within its campus in a span of less than two months, further strengthens the case of the Petitioners that an investigation is necessary into these deaths.

vii. That it is submitted that the Police has, for the first time before this Hon'ble Court, placed on record the Post Mortem Reports of the deceased students and the purported statements recorded during the inquest proceedings, including those stated to have been given by the Petitioners and their family members. It is submitted that the statements attributed to the Petitioners and their family members are doctored and false, which is besides the fact that the Hon'ble High Court had failed to call for these documents from the Police, and had simply relied upon a concocted Status Report, contents whereof had been categorically rebutted by the Petitioners.

viii. That it is settled law that at the stage of registration of FIR, the Police has to simply consider whether a cognizable offence is made out or not, from the information/complaint. It is submitted that in violation of the settled proposition of law, and in complete derogation of the procedure prescribed by the Criminal Procedure Code, 1973 (as was then applicable), and Section 18A of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, the Police has conducted a detailed inquiry without registering an FIR for the sole purpose of substantiating a predetermined conclusion, i.e., that the deceased students had committed suicide due to academic pressure. It is submitted that the record itself reflects that the deaths of these students require detailed and thorough investigations, which cannot be initiated, let alone concluded, without registration of FIRs.

ix. That hence, it is submitted that this Hon'ble Court may kindly be pleased to issue necessary directions for registration of the FIRs into the deaths of the deceased students, investigation by the Central Bureau of Investigation (CBI), and may kindly be pleased to monitor the investigation."

C. SUBMISSIONS ON BEHALF OF THE RESPONDENT NOS. 2, 3, 4 AND 7 RESPECTIVELY

14. The respondent nos. 2, 3, 4 and 7 in their written submissions have stated thus:

"1. Names of deceased:

(i) Ayush (death on 08.07.2023)

(ii) Anil (death on 01.09.2023)

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2. Complaints dated 28.07.2023 & 9.9.2023 were lodged before Police by parents of deceased alleging caste-based discrimination in the hostel and that they have been murdered.
3. Then WP (Crl.) No. 2945 of 2023 was filed before the Hon'ble High Court of Delhi praying for direction to register FIR and an independent inquiry in caste-based atrocities.
4. In view of the above said complaints, it submitted that a fair enquiry was conducted under Section 174 CrPC in both the cases which is as follows:

A. IN CASE OF DECEASED AYUSH ASHNA

i. On 8.7.2023 : Upon receiving a PCR call regarding suicide of a student in Udayagiri Hostel, IIT Delhi, police officials reached the spot i.e. Room No. WH-02 7th floor, Udayagiri Hostel, IIT, New Delhi.

In the presence of IIT staff, mother, brother of deceased and maternal uncle of deceased, the door of the room which was locked from inside was broken wherein it waw found that Ayush was found hanging.

Post Mortem Report (R-1 @pg. 11-13) : Death is due to asphyxia as a result of hanging due to ligature. However, viscera has been preserved to rule out any concomitant poisoning/intoxication.

ii. Annexure R-3 @ pg. 17-42

During the course of enquiry, statements of Father, Brother and other relatives/friends of the deceased was recorded in which it was found that Ayush Ashna had failed in some of the subjects in prior semester exams due to which he was under depression and because of that he might have taken this extreme step. They further denied any foul play or any suspicion regarding the death of Ayush.

a. Ramesh (Father of Ayush) : Ayush took this step under depression. He does not have any doubt on death of his son.
b. Rahul (Brother of Ayush) : I am also IIT Delhi pas out. Ayush was under depression due to failing. The hostel door was broken in front of us. Ayush had committed suicide on table by plastic rope and extension wire. There is only one way entry and exit to the room of my brother, which was locked from inside. I do not have any doubt on death of my brother.
c. Sushma (Mother of Ayush) : He was not picking calls since morning of 8.7.2023. He was in tension due to failing in one or two subjects, room as broken in front of us, I do not have any doubt on death of my son.

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d. Praveen (Professor and in charge SC/ST Cell : since his appointment in SC/ST cell, he never received any complaint of caste based discrimination from Anil and Ayush.

e. Geratony Abhishek (student) : Both Late Anil Kumar and Ayush were students of my class. I am also studying in extended period and both students were also studying in extended period. He had received one WhatsApp message from Ayush regarding his one semester due. There was no caste based discrimination with the deceased. I also belong to SC caste but there was never any caste based misbehaviour with me and there is no partition on caste basis.

f. Kaushal Verma (student) : Being from SC category I have never faced any caste based remarks.

g. Pritish (student) : Late Anil and Ayush were also studying in extended period. There is no discrimination on caste basis. I am also from SC and there has never been any misbehaviour.

iii. Annexure R 4@pg. 43

Grade reports of Ayush Ashna were collected from the IIT and it was found that during the 2nd semester period of year 2022-2023, he had failed in some of the subjects and got lower grades (Grade F, in 5 out of 7 subjects which stands for Very Poor.

B. IN CASE OF DECEASED ANIL KUMAR

i. It is submitted that on dated 1.9.2023, a PCR call was received regarding suicide of student in Vindhayachal Hostel, IIT Delhi. On reach the spot i.e. Room No. EA-18, Ground Floor, Vindhayachal Hostel, IIT, New Delhi, it was found that the same was locked and smell was coming from inside. Accordingly, in the presence of IIT staff members and the police, the door of the room was broken. Anil was found hanging from the ceiling fan of his room with the help of bedsheet and towel. The body was in a decomposed state.

Post Mortem Report (R-2@pg 14-16):

"Death is due to asphyxia consequent to ante-mortem compression of neck by ligature".

Annexure R-3 @pg. 17-42:

Statements of brother Amit, mother, hostel staff and friends were taken who stated that Anil was under depression due to less marks:

a. Amit (brother of Anil) : Anil was student of 2019-2023 session. for 2 years he staved at home. On 30.8.2023. I

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talked with Anil and he was under depression due to fail and less marks in exams. On 01.09.2023, I got a call from IIT that Anil has hanged himself from a ceiling fan. I have no doubt but enquiry be done.

b. Vidya Devi (Mother of Anil) : For 2 years he stayed at home due to lockdown, due to less marks Anil was under depression, enquiry be done.

c. Naveen Kumar (student) : Anil was my classmate and his room was near to my room. His position in studies was not good. Anil never complained about caste discrimination, and he always remained alone and did not talk with others. I have never seen or heard any caste-based discrimination.

d. Vaibhav Shivrani (student) : I am house secretary in Vindhyachal Hostel and my work is to forward the complaint of students and there was never any issue of ST/SC with Anil.

e. Anil Nawani (Security Inspector) : Guard of Vindhyachal Hostel called on 1.9.2023 that bad smell is coming from room No. EA-18. The window was opened from behind of the room and deceased was seen hanging from fan.

f. Kailash Meena (student of Room No. EA-17) : Foul smell was coming and on knocking room no. EA-18 there was no response and just below the door yellow liquid was seen and flies were there, informed the guard.

ii. On 09.09.2023 Amit Kumar (Petitioner/brother of the deceased) gave a written complaint in the police station, alleging caste-based discrimination by his teachers and other faculty members and murder. He had also alleged that there was some kind of bleeding from ears of the dead body and blood stains were scattered all over the room which cannot be an incident of suicide.

iii. Accordingly, further enquiry was conducted. It was found there was no column revealing the category of the student whether he/she belongs to SC/ST/General category in any of the forms, only entry number was mentioned in all the forms.

Annexure R-4 @pg. 44 : He failed in two subjects out of seven subjects in IIIrd semester. In IVth semester he took only one subject and he failed in the same. In next year (2021-2022) he did not pass any subject. In VIIth semester he failed in one subject out of six. In VIIIth semester he failed in two subjects out of six subjects. He was given an extension to complete his subjects.

5. In the Hostel allotment letters it was found that there was no

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column revealing the category of the students as to whether she/he belongs to SC/ST/General category in any of the form.

6. *The Hon'ble High Court found that no complaint was ever given by any of the deceased students to the police, SC/ST cell of IIT Delhi or to any of their friends regarding caste-based discrimination and held that mandamus as prayed cannot be issued in the present case.*
7. *That, during the course of enquiry, the allegations levelled could not be corroborated and nothing came on record to substantiate the same."*

D. SUBMISSIONS ON BEHALF OF THE RESPONDENT NO. 5 - IIT DELHI

15. IIT, Delhi in their written submissions have stated thus:

"1. That the present Special Leave Petition has been preferred against impugned Final Order and Judgment dated 30.01.2024 passed by the Hon'ble High Court of Delhi in Writ Petition (Criminal) No. 2945 of 2023, whereby the Hon'ble High Court rightly dismissed the Writ Petition as it was devoid of merits.

2. *Briefly stated that both Mr. Anil Kumar and Mr. Ayush Ashna were students of B.Tech in the Indian Institute of Technology, Delhi (hereinafter referred to as "IIT, Delhi") and that Petitioner no. 1 and Petitioner no. 2 are the brother and mother of Anil Kumar and Petitioner No. 3 is the parent of Ayush Ashna.*
3. *That Mr. Ayush Ashna was found dead on 08.07.2023 at his Hostel Room No. WH-02, Seventh Floor, Udaigiri Hostel, IIT, New Delhi and another student, namely, Mr. Anil Kumar was found dead on 01.09.2023 in his Hostel Room No. EA-18, Ground Floor, Vindhyachal Hostel, IIT, New Delhi.*
4. *It is pertinent to mention at this juncture that the death of both the students were approximately two months apart and both the deaths cannot be interlinked to each other in any way.*

Brief facts surrounding the death of Mr. Ayush Ashna:

5. *That on the night of 8th July 2023, at approximately 2300 hrs., Ayush Ashna's mother called the reception of Udaigiri hostel and informed the guard on duty that her son Ayush Ashna, resident of Room No. WH-02, was not answering his phone. She also requested the guard to look for him.*
6. *Subsequently, the guard went to Room No. WH-02 and found that it was locked from inside. The guard knocked several times, and on not receiving any response, immediately reported the matter to the Security Control room as per protocol. The Security team rushed to the hostel room and knocked, but there was still no response.*

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7. *The Security staff then looked inside the room through the ventilator and saw what appeared to be a non-moving body with the neck rolled to one side, hanged to an inverted study table. The matter was immediately reported to Delhi Police and other IIT Delhi authorities. IIT Delhi authorities reached the hostel main gate within minutes and almost simultaneously and independently, without having any further contact with the Answering Respondent, the student's mother, brother, and maternal uncle also arrived at the hostel.*
8. *That while the Hostel warden was speaking with the student's parent/relatives, Delhi police PCR also reached the hostel main gate. The situation was now under the charge of Delhi Police who took over and reported the matter as per law.*
9. *It is submitted that at this juncture, everyone present, including the family was informed by the Police of the tragedy. The Police took over the scene and initiated their official procedures. When the family requested that they be allowed to go inside the room, the Police said that the Crime Branch was on the way and asked them to wait for the Inquiry Officer (hereinafter referred to as "I.O.") to arrive at the spot.*
10. *Thereafter, within another few minutes, the Police team from the Kishangarh Police Station arrived. The police then broke open the room door following due procedure, and in the presence of the family; inside a body was discovered and identified by the family as that of Ayush Ashna.*
11. *Two doctors from the IIT Delhi hospital confirmed the body to be lifeless. Subsequently, the crime branch also arrived, took charge of the scene, and spoke with the family.*

Post suicide information

12. *The tragic news was a shock to all present. IIT Delhi personnel provided all possible assistance during this challenging time and faithfully followed all instructions from the Police and Crime Branch. All possible support for the family was ensured, including a medical doctor and a counsellor was provided by IIT Delhi.*
13. *It is submitted that IIT Delhi is fully committed towards the safety and security of its students. After receiving the telephone call from the student's mother, IIT Delhi security responded and acted as swiftly as possible and informed the Delhi police immediately- all within 30 minutes of the initial telephone call. Delhi police also arrived most promptly within minutes.*
14. *It is submitted that as per the postmortem report of the deceased Ayush Ashna, the cause of death was held to be asphyxia as a result of hanging due to ligature.*

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15. Thereafter, an enquiry was conducted to understand the cause of death. During the course of enquiry, statements of father, brother, other relatives and friends of the deceased were recorded in which it was found that the deceased had failed in some of the subjects in the prior semester exams due to which he was under depression.
16. Consequently, the grade reports of Ayush Ashna were seen and it was found that during the 2nd semester of year 2022-2023, he had failed in some of the subjects and got lower grades i.e., Grade F which stands for Very Poor in 5 out of 7 subjects.
17. It is pertinent to mention herein that no complaints regarding any caste-based discrimination have been found and there is no record of any complaint being received from the deceased or any of his family members since 2019-2020 by the College authorities. It is further pertinent to note that during the enquiry, the relatives of the deceased denied any foul play or suspicion regarding the death of the deceased.
18. Thereafter, father of the deceased, namely, Ramesh Kumar gave a written complaint to the police station on 26.07.2023, wherein it was alleged that his son Ayush Ashna was facing caste-based discrimination by his hostel mates and other faculty members during the beginning of his academic year 2019-2020 and he also suspected in the complaint that his son could not have taken such steps and someone might have killed his son with the connivance of faculty members.
19. That IIT Delhi took due consideration to the complaint filed by the deceased student's father and therefore submitted a point-by-point response dated 14.08.2023 to the representation made by Mr. Ramesh Kumar to clarify his doubts regarding his Complaints surrounding his son's death.

Brief facts of case surrounding the death of Mr. Anil Kumar:

20. It is submitted that Anil Kumar had taken admission in IIT Delhi in 2019 in B.Tech, Mathematics and Computing and he was allotted Room No. SD-11, Vindhyachal Hostel at the time of admission. During the semester period of 2020-2021 and 2022-2023, he got low grades in some of the subjects.
21. That the deceased Anil Kumar extended his stay at the hostel for the preparation of remaining subjects and completing the course and the same was granted by the relevant department immediately. Subsequently, he was allotted Room No. EA-18, Vindhyachal Hostel.
22. It is submitted that the deceased could not clear some subjects

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and was residing in hostel on further six months extension. As per the rules, his hostel was to be vacated in June but as he could not qualify some subjects, he was given extension for six months to clear the exams.

23. It is submitted that the deceased passed all the subjects in 1st year but he later failed in two subjects out of seven subjects in 3rd semester. Thereafter, in 4th semester he took only one subject and failed in the same, in the following year (2021-22) he failed to pass any subject, in 7th semester he failed in one subject out of six subjects and finally in 8th semester he failed in two subjects out of six subjects and therefore, he was given an extension to clear all the subjects. Therefore, in toto, the deceased Anil Kumar was failing in two subjects out of seven subjects in 3rd semester, in 4th semester he took only one subject and failed in the same, in the following year he failed to pass any subject, in 7th semester he failed in one subject out of six subjects and in 8th semester he failed in two subjects out of six subjects.

24. It is pertinent to note that the students are nowhere required to reveal the category as to whether the students belong to SC/ST/General category. Hostel allotment letters also prove that there was no column revealing the category of the students in any of the form and only entry number was mentioned in all the forms and thus, no evidence of caste-based discrimination against the deceased was found.

25. That on the evening of 1st September 2023, at around 5pm, a student residing in one of the ground floor wings in Vindhyachal hostel reported a foul smell to the hostel caretaker. Thereafter, it was found that the neighbouring room's door was locked from inside and glass panes of the grilled window facing the hostel basketball court were also shut with the curtains drawn.

26. Consequently, the warden and security were immediately called, who then reached the hostel. The security unit pried open the window-pane from outside and undrew the curtain. They discovered a hanging body.

Post suicide information

27. The security immediately called the police and the warden informed the Dean Student Affairs. The Dean and Associate Dean reached Vindhyachal hostel within minutes. Three Counsellors were also immediately called, and arrived within minutes, to talk to other residents of the hostel.

28. By approximately 06 : 10 PM, the police and fire department

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personnel arrived at the hostel, followed by Crime branch. The Chief Medical Officer of IIT Delhi was also called, who immediately arrived at the hostel. The police then took over the proceedings, the ACP arrived at approximately 07 : 10 PM and their fire personnel broke the door open at approximately 07 : 15 PM. The body was identified as that of student Anil Kumar residing in the room as per records.

29. *Immediately, upon identification of the body, IIT Delhi officials tried contacting the mobile numbers of family, provided as per the student records. By approximately 1930 hrs., Mr. Amit Kumar, elder brother of the student, could be contacted on the phone. He was informed of the tragic loss and was requested to reach IIT Delhi at the earliest possible. Mr. Amit Kumar informed that they had lost their father a few months ago, and at the present time the whole family was in their village 600-700 Km away from Delhi. They will try to reach by the morning of 2nd Sept. 2023.*
30. *Thereafter, Director, Dy. Director Operations, Registrar, Dy. Registrar Student Affairs also reached the hostel. An ambulance was called and the police took custody of the body at approximately 2050 hrs. for transporting to the Safdarjung hospital mortuary.*
31. *Thereafter, postmortem of the deceased was conducted vide PM No. 2048/23, wherein the cause of death was held to be "asphyxia consequent to ante-mortem compression of neck by ligature".*
32. *It is submitted that Mr. Amit Kumar, along with his family, reached IIT Delhi faculty guest house by approximately 0730 hrs. on the morning of 2nd Sept. 2023. Warden, SC/ST Liaison Officer, former SC/ST advisor, Head Counsellor, Director, Dean, Associate Dean met with the family. On their request, family were taken to Vindhyachal hostel to look at the student's room from outside.*
33. *During the course of enquiry, statements of the brother, mother, other relatives and friends of the deceased were recorded who stated that due to scoring less marks in exams, deceased was under stress.*
34. *It is pertinent to mention herein that the family and relatives of deceased further denied any foul play or any suspicion regarding the death of the deceased.*
35. *Academically, Anil Kumar had finished a little less than 50% of the 150 credits required for the award of a BTech degree. He was identified as a student who was underperforming academically. His advisor reached out to him; unfortunately, a meeting did not materialize.*
36. *Outside of academics, he had not approached the counselling*

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unit for any assistance. In the first week of June 2023, he had informed the hostel caretaker, while beginning his extended hostel stay, that he had lost his father. Below is the hostel residence history of Mr. Anil Kumar *(2019 MT 10674) as per records:*

(i) Pre-pandemic : Resident of Vindhyachal hostel from 15th July 2019 till vacating due to pandemic.

(ii) Post-pandemic : Resident of Vindhyachal hostel from 19th April 2022 till current date. After completion of applicable tenure of 8 semesters, the student requested extension of stay for completion of remaining credits on 1st June 2023 (extension request form was duly recommended and forwarded by Course Advisor and Head of Department of Mathematics). Extension of stay was granted as per rules, either till end of 1st Sem 2023-2024 or 26th Dec. 2023 (whichever is earlier), on 2nd June 2023.

37. It was only on 09.09.2023, that Mr. Amit Kumar (brother of Anil Kumar) gave a written Complaint in the Police station, wherein he alleged that Anil Kumar was facing caste-based discrimination by his teachers and other faculty members. It is pertinent to bring to the notice of this Hon'ble Court that this is the first time any such Complaint of caste-based discrimination was being heard of from the deceased or his family.

Submissions:

38. That it is the policy of the institution that before the start of every semester, students who have previously underperformed academically are identified. Then they are advised to take a slower pace academic program to avoid overburdening. Their respective faculty advisors are notified as to their deteriorating academic performance and are asked to contact their advisees for any help with the scholastic pursuits. Thereafter, the faculty advisors contact the students, and on a regular basis continue to contact, to discuss any issues that they might have with respect to their course and graduation plans.

39. During the time relevant for the present case, the same procedure was followed and about 10% of students were recommended for counselling sessions through this intervention, and a handful of students were identified as requiring language support.

40. It is submitted that the institution takes every complaint regarding caste-based discrimination with utmost seriousness and the apprehensions of the parents of the deceased were also duly

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considered. In this regard, a thorough enquiry was conducted wherein statements of family and friends of the deceased were recorded and several other students of IIT, Delhi who belonged to Scheduled Castes and Scheduled Tribes were also examined. During this enquiry, not even a single assertion cropped up which suggested that the deceased students were murdered in the campus and as a matter of fact, none of those students had ever reported any caste-based discrimination either by any faculty members or anybody else within the institution.

41. *It is also pertinent to mention herein that no complaint was ever given by either of the deceased students to the Police or to the SC/ST Cell of IIT, Delhi regarding any caste-based discrimination. Moreover, in order to mitigate the possibility of bigotry and discrimination amongst the students, it is the policy of the institution that no person, except the Dean of Academics, is aware about the category to which any student belongs and all students are treated equally in the campus by all the staff members. It is further submitted that the students are not required to disclose their castes in any other forms filled by them during their time at IIT Delhi.*
42. *That in order to bring forth the actual facts of the death of the deceased students, a detailed enquiry was conducted, wherein all relevant materials were collected and subjected to rigorous scrutiny. In the absence of any specific allegation or even an iota of evidence in the enquiry suggesting any caste-based discrimination in the present case or that the deceased committed suicide for any reason other than weary academic load, it is humbly submitted that there are no grounds for either registration of FIR or directing CBI to investigate the matter in the present case and the same deserves to be dismissed.*
43. *It is submitted that IIT Delhi is fully committed to the physical and mental well-being of all the students, including those belonging to marginalized groups. It is the top priority of the answering respondents to eradicate caste-based discrimination and/or any form of harassment from the academic pursuits of its students. IIT Delhi makes conscious efforts to encourage, counsel and motivate the students.*
44. *IIT Delhi has a zero-tolerance policy for any discrimination inflicted by any person in the campus and stringent steps are taken to expunge such possibilities. The institution ensures that any systemic deficiencies that can be identified are immediately addressed.*
45. *It is submitted that in order to aid the scholastic journey of the students at IIT Delhi, each undergraduate student in the*

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Institution is allotted a faculty advisor. This information is constantly reflected on the institute academics portal, which is routinely accessed by each student for various purposes, including fees payment and registration for courses. The advisors are also informed of their advisees on their respective academics' portal. Advisees can meet their advisor at any time to discuss their issues.

46. Further, a Board of Student Welfare (BSW) has also been established at the Institute which assists in ensuring student wellness and addressing mental health issues. In addition to being led by an elected student General Secretary, this board is also mentored by several faculty members, with the Associate Dean Student Welfare (ADSW) serving as the President of the Board. BSW reaches out to students and regularly encourages them to come forward with any issue that they may face during their time at IIT Delhi.

47. Additionally, the Institution operates a separate Counselling Unit to aid mental tonicity of the students. Currently, there are three female and one male counsellors in this Unit from diverse backgrounds. Two counsellors (one female and one male) reside on campus and are available 24 × 7 on call. Four (04) more permanent counsellor positions have also been advertised and the hiring process is underway. Services of an online counselling portal (Your Dost) are also made available to all students 24 × 7.

48. The Institution also ensures that at least one contractual psychiatrist remains physically available in the hospital at the campus from 0800- 2000 hrs. Mon-Fri and on-call for emergencies on weekends. The process of hiring a permanent psychiatrist for the hospital is also underway.

49. In addition to the above steps, the following support systems are also operational at the Institute level to promptly address the concerns of students and provide efficacious remedy to their problems:

- *ICC (Internal Complaints Committee)*
- *Grievance Redressal Committee*
- *Student Grievance web portal*
- *IGES (Initiative for Gender Equity and Sensitization)*
- *Office of Diversity & inclusion headed by a Dean*
- *SC/ST Cell*

50. It is submitted that IIT Delhi is also in the process of setting up a Central Attendance monitoring system for all students, with special attention on the underperforming students.

51. It is submitted that IIT Delhi aims at providing a comfortable

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and a safe environment for its students and emotions of their parents. In the case at hand as well, the Answering Respondents have fully cooperated with the Police, parents and have even conducted internal inquiry to verify the claims of the Petitioners.

52. However, in both the inquiries conducted by the Answering Respondents as well as the Police, no cognizable offence has been made out."

E. ANALYSIS

16. Having heard the learned counsel appearing for the parties and having gone through the materials on record, the only question that falls for our consideration is whether the High Court committed any error in passing the impugned judgment and order.

17. It is not in dispute that the Police for some reason or the other declined to register an F.I.R. on the ground that no one could be said to have abetted the commission of suicide. All that the Police did in the course of the inquiry under Section 174 of the CrPC was to record the statements of other students belonging to SC/ST category studying in IIT Delhi, who stated that there was no caste-based discrimination in the hostel.

18. The High Court while rejecting the writ petition observed thus:

"14. Perusal of the Status Report filed by the Ld. ASG for the State shows that a thorough and detailed enquiry was conducted into both the cases and it was found that no complaint was ever given by any of the deceased students to the police, SC/ST Cell IIT Delhi or to any of their friends in Campus regarding any caste based discrimination being faced by them. Moreover, statements of family and friends of the deceased were recorded and several other students of IIT, Delhi who belonged to Scheduled Castes and Scheduled Tribes were also examined and none of them reported any caste-based discrimination taking place in the IIT Campus, Delhi. The allegations levelled by the petitioners, therefore, could not be corroborated and nothing came on record to substantiate the same.

15. Undoubtedly, the academic career of two brilliant and young students came to an end under devastating circumstances and one cannot even fathom the challenges and emotions which the parents of the deceased must be facing every day. This Court can understand the sentiments of the parents of the deceased and deeply discourages the growing trend of pressurising young minds to perform the best in every aspect of life leading them to take unfortunate steps. It is high time that the faculty as well as other staff members of Indian Institute of Technology make conscious efforts and take endeavours to counsel, encourage, motivate and invigorate the students. It is of utmost priority to make the young minds understand that scoring good marks and performing your best

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is important but it is not the most important thing in life and one can certainly give his/her best without succumbing to the pressures or stress of performing better. The most significant way of instilling this into young minds who face challenges everyday in the professional and competitive environment of colleges is by teaching them in the very same campus where they spend years of their students life the values of prioritizing their health be it physical or mental which will also give them the confidence to face every challenge in life.

16. Taking into consideration the totality of facts and-circumstances of this case, this Court is of the view that a mandamus cannot be issued in a routine manner merely on the basis of sympathy or sentiments, accordingly, the present petition along with pending applications, if any is dismissed being devoid of any merits."

(Emphasis supplied)

19. This litigation is an eye-opener not just for the police but also for the parents whose children are studying in different educational institutions, more particularly those students residing in a hostel far from their respective homes, and also the management of the educational institutions across the country.

20. The pivotal question that falls for our consideration is whether the Police was justified in closing the matter upon conclusion of the inquiry under Section 174 of the CrPC? In other words, whether recourse to inquest proceedings under Section 174 of the CrPC obviates the requirement of registration of F.I.R.? To put it in a still lucid manner, whether an inquest report discovering the cause of death would be good enough to close the matter without registration of an F.I.R.?

i. Scope of Section 174 of the CrPC

21. Section 174 of the CrPC reads as under:

"Section 174. Police to enquire and report on suicide, etc.

1) When the officer in charge of a police station or some other police officer specially empowered by the State Government in that behalf receives information that a person has committed suicide, or has been killed by another or by an animal or by machinery or by an accident, or has died under circumstances raising a reasonable suspicion that some other person has committed an offence, he shall immediately give intimation thereof to the nearest Executive Magistrate empowered to hold inquests, and, unless otherwise directed by any rule prescribed by the State Government, or by any general or special order of the District or Sub-divisional Magistrate, shall proceed to the

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place where the body of such deceased person is, and there, in the presence of two or more respectable inhabitants of the neighbourhood, shall make an investigation, and draw up a report of the apparent cause of death, describing such wounds, fractures, bruises, and other marks of injury as may be found on the body, and stating in what manner, or by what weapon or instrument (if any); such marks appear to have been inflicted.

(2) The report shall be signed by such police officer and other persons, or by so many of them as concur therein, and shall be forthwith forwarded to the District Magistrate or the Sub-divisional Magistrate.

(3) When-

(i) the case involves suicide by a woman within seven years of her marriage; or

(ii) the case relates to the death of a woman within seven years of her marriage in any circumstances raising a reasonable suspicion that some other person committed an offence in relation to such woman; or

(iii) the case relates to the death of a woman within seven years of her marriage and any relative of the woman has made a request in this behalf; or

(iv) there is any doubt regarding the cause of death; or

(v) the police officer for any other reason considers it expedient so to do, he shall, subject to such rules as the State Government may prescribe in this behalf, forward the body, with a view to its being examined, to the nearest Civil Surgeon, or other qualified medical man appointed in this behalf by the State Government, if the state of the weather and the distance admit of its being so forwarded without risk of such putrefaction on the road as would render such examination useless.

(4) The following Magistrates are empowered to hold inquests, namely, any District Magistrate or Subdivisional Magistrate and any other Executive Magistrate specially empowered in this behalf by the State Government or the District Magistrate."

22. The proceedings under Section 174 of the CrPC should be kept more distinct from the proceedings taken on the complaint. Investigation under Section 174 is limited in scope and is confined to the ascertainment of the apparent cause of death and should not be equated with investigation into cognizable offences under Sections 160 and 161 of the CrPC respectively. The procedure under Section 174 of the CrPC is for the purpose of discovering the cause of death and the

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evidence taken is very short. Sub-section (4) of Section 174 empowers any District Magistrate, Sub-Divisional Magistrate or any other Executive Magistrate specially empowered in this behalf by the State Government or the District Magistrate to hold inquest. The inquest held by the magistrate under Section 174 is distinct from an inquiry under Section 202.

23. The inquest proceedings are concerned with discovering whether in a given case the death was accidental, suicidal, homicidal, or caused by an animal and in what manner or by what weapon or instrument the injuries on the body appear to have been inflicted, therefore, the evidence taken is very short. (See : *Chaman Lal* v. *Emperor*, AIR 1940 Lah 210, at 214)

24. The investigations conducted under Sections 154 and 174 of the CrPC respectively are distinct in nature and purpose. A study of Chapter XII of the CrPC reveals that these two provisions cater to different procedural objectives. The former begins with information about the commission of a cognizable offence referred to in Section 154(1), culminating in registration of F.I.R. and ending with filing of a chargesheet/challan before the competent court under Section 173 or a final report as the case may be. This procedure to be undertaken for initiating an investigation into a cognizable offence has been explained by this Court in *Ashok Kumar Todi* v. *Kishwar Jahan*, (2011) 3 SCC 758, in the following words:

> *"48. Under the scheme of the Code, investigation commences with lodgement of information relating to the commission of an offence. If it is a cognizable offence, the officer in charge of the police station, to whom the information is supplied orally has a statutory duty to reduce it to writing and get the signature of the informant. He shall enter the substance of the information, whether given in writing or reduced to writing as aforesaid, in a book prescribed by the State in that behalf. The officer-in-charge has no escape from doing so if the offence mentioned therein is a cognizable offence and whether or not such offence was committed within the limits of that police station.[…]"*
>
> (Emphasis supplied)

25. Further, the objective of proceedings under Section 154(1) has been succinctly explained by this Court in *Manoj Kumar Sharma* v. *State of Chhattisgarh*, (2016) 9 SCC 1, as under:

> *"19. […] Whereas the starting point of the powers of the police was changed from the power of the officer in charge of a police station to investigate into a cognizable offence without the order of a Magistrate, to the reduction of the first information regarding commission of a cognizable offence, whether received orally or in writing, into writing. As such, the objective of such placement of*

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provisions was clear which was to ensure that the recording of the first information should be the starting point of any investigation by the police. The purpose of registering FIR is to set the machinery of criminal investigation into motion, which culminates with filing of the police report and only after registration of FIR, beginning of investigation in a case, collection of evidence during investigation and formation of the final opinion is the sequence which results in filing of a report under Section 173 of the Code. […]"

(Emphasis supplied)

26. In contrast, an investigation under Section 174 of the CrPC focuses on ascertaining the apparent cause of death in cases of unnatural or suspicious deaths. This position has been well explained by this Court in *Pedda Narayana* v. *State of Andhra Pradesh*, (1975) 4 SCC 153. The proceeding under Section 174 is limited in scope and fundamentally distinct from investigations aimed at prosecuting offences. Inquest proceedings are conducted by the police or a Magistrate and conclude with the filing of an inquest report before the Sub-Divisional Magistrate (SDM), District Judge, or Magistrate as the case may be. The relevant observations are reproduced herein below:

"11. A perusal of this provision would clearly show that the object of the proceedings under Section 174 is merely to ascertain whether a person has died under suspicious circumstances or an unnatural death and if so what is the apparent cause of the death. The question regarding the details as to how the deceased was assaulted or who assaulted him or under what circumstances he was assaulted appears to us to be foreign to the ambit and scope of the proceedings under Section 174. In these circumstances, therefore, neither in practice nor in law was it necessary for the police to have mentioned these details in the inquest report. […]"

(Emphasis supplied)

27. The investigation after registration of F.I.R. under Section 154 of the CrPC is an investigation into an offence. In contrast, the investigation under Section 174 of the CrPC is an investigation or an "inquiry" into the apparent cause of death.

28. The marginal note attached to Section 174 of the CrPC reads "Police to inquire and report on suicide, etc." This is self-explanatory as to the scope of the provision. Sections 174 to 176 of the CrPC only contemplate inquiry into the cause of death. Although the phrase 'investigation' is used in Section 174 of the CrPC, yet it is only an investigation in the nature of an inquiry. Sometimes, during the inquest, the police record the presence of witnesses who are also witnesses in the case. These statements are not meant as substitutes for statements under Section 161 of the CrPC. The inquest requirement

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under Section 174 does use the word investigation but if one considers the entire phraseology of Section 174 of the CrPC, one comes to the conclusion that the word investigation in Section 174 is not an investigation to find out who are the offenders. It is only to enable the police to come up with the "apparent cause of death". This phrase in Section 174 should give us the clue as to the correct understanding of the role of the police in inquest panchnama.

ii. F.I.R. under Section 154 of the CrPC

29. Section 154 of the CrPC lays down the procedure for the registration of a First Information Report in cases of cognizable offenses. The relevant portion of the provision is reproduced hereunder:

> *"154. Information in cognizable cases.—(1) Every information relating to the commission of a cognizable offence, if given orally to an officer in charge of a police station, shall be reduced to writing by him or under his direction, and be read over to the informant; and every such information, whether given in writing or reduced to writing as aforesaid, shall be signed by the person giving it, and the substance thereof shall be entered in a book to be kept by such officer in such form as the State Government may prescribe in this behalf […]"*

30. The object and purpose of filing an F.I.R. has been explained by this Court in *Sheikh Hasib Alias Tabarak* v. *State of Bihar*, (1972) 4 SCC 773, observing that the main purpose of the F.I.R. is to initiate the criminal justice process and to gather information about the alleged crime, enabling them to take appropriate actions to identify and apprehend the offender. The Court held:

> *"4…The principal object of the first information report from the point of view of the informant is to set the criminal law in motion and from the point of view of the investigating authorities is to obtain information about the alleged criminal activity so as to be able to take suitable steps for tracing and bringing to book the guilty party. The first information report, we may point out, does not constitute substantive evidence though its importance as conveying the earliest information regarding the occurrence cannot be doubted. It can, however, only be used as a previous statement for the purpose of either corroborating its maker under Section 157 of the Indian Evidence Act or for contradicting him under Section 145 of that Act. It cannot be used for the purpose of corroborating or contradicting other witnesses."*
>
> (Emphasis supplied)

31. In *Thulia Kali* v. *State of T.N.*, (1972) 3 SCC 393, this Court elucidated the impact of delay in registration of F.I.R. The Court held as follows:

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> *"12. … First information report in a criminal case is an extremely vital and valuable piece of evidence for the purpose of corroborating the oral evidence adduced at the trial. The importance of the above report can hardly be overestimated from the standpoint of the accused. The object of insisting upon prompt lodging of the report to the police in respect of commission of an offence is to obtain early information regarding the circumstances in which the crime was committed, the names of the actual culprits and the part played by them as well as the names of eyewitnesses present at the scene of occurrence. Delay in lodging the first information report quite often results in embellishment which is a creature of afterthought. On account of delay, the report not only gets bereft of the advantage of spontaneity, danger creeps in of the introduction of coloured version, exaggerated account or concocted"*
>
> (Emphasis supplied)

32. The point of law on mandatory registration, as interpreted from Section 154 of the CrPC, has been elaborated by this Court in *State of Haryana* v. *Bhajan Lal*, 1992 Supp (1) SCC 335. Upon thorough examination of the mandatory implications of Section 154 of the CrPC, this Court arrived at the following finding in paragraphs 31 and 32 of the judgment:

> *"31. At the stage of registration of a crime or a case on the basis of the information disclosing a cognizable offence in compliance with the mandate of Section 154(1) of the Code, the police officer concerned cannot embark upon an enquiry as to whether the information, laid by the informant is reliable and genuine or otherwise and refuse to register a case on the ground that the information is not reliable or credible. On the other hand, the officer in charge of a police station is statutorily obliged to register a case and then to proceed with the investigation if he has reason to suspect the commission of an offence which he is empowered under Section 156 of the Code to investigate, subject to the proviso to Section 157. (As we have proposed to make a detailed discussion about the power of a police officer in the field of investigation of a cognizable offence within the ambit of Sections 156 and 157 of the Code in the ensuing part of this judgment, we do not propose to deal with those sections in extenso in the present context.) In case, an officer in charge of a police station refuses to exercise the jurisdiction vested in him and to register a case on the information of a cognizable offence reported and thereby violates the statutory duty cast upon him, the person aggrieved by such refusal can send the substance of the information in writing and by post to the Superintendent of Police concerned who if satisfied that the information forwarded to him discloses a cognizable offence, should*

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either investigate the case himself or direct an investigation to be made by any police officer subordinate to him in the manner provided by sub-section (3) of Section 154 of the Code.

32. Be it noted that in Section 154(1) of the Code, the legislature in its collective wisdom has carefully and cautiously used the expression 'information' without qualifying the same as in Section 41 (1)(a) or (g) of the Code wherein the expressions, 'reasonable complaint' and 'credible information' are used. Evidently, the non-qualification of the word 'information' in Section 154(1) unlike in Section 41(1)(a) and (g) of the Code may be for the reason that the police officer should not refuse to record an information relating to the commission of a cognizable offence and to register a case thereon on the ground that he is not satisfied with the reasonableness or credibility of the information. In other words, 'reasonableness' or 'credibility' of the said information is not a condition precedent for registration of a case. A comparison of the present Section 154 with those of the earlier Codes will indicate that the legislature had purposely thought it fit to employ only the word 'information' without qualifying the said word. Section 139 of the Code of Criminal Procedure of 1861 (Act 25 of 1861) passed by the Legislative Council of India read that 'every complaint or information' preferred to an officer in charge of a police station should be reduced into writing which provision was subsequently modified by Section 112 of the Code of 1872 (Act 10 of 1872) which thereafter read that 'every complaint' preferred to an officer in charge of a police station shall be reduced in writing. The word 'complaint' which occurred in previous two Codes of 1861 and 1872 was deleted and in that place the word 'information' was used in the Codes of 1882 and 1898 which word is now used in Sections 154, 155, 157 and 190(c) of the present Code of 1973 (Act 2 of 1974). An overall reading of all the Codes makes it clear that the condition which is sine qua non for recording a first information report is that there must be an information and that information must disclose a cognizable offence.

33. It is, therefore, manifestly clear that if any information disclosing a cognizable offence is laid before an officer in charge of a police station satisfying the requirements of Section 154(1) of the Code, the said police officer has no other option except to enter the substance thereof in the prescribed form, that is to say, to register a case on the basis of such information."

(Emphasis supplied)

33. In *Lalita Kumari* v. *Government of U.P.*, (2014) 2 SCC 1, a five-Judge Bench of this Court affirmed the requirement for the mandatory registration of an F.I.R. under Section 154 of the CrPC. The Court ruled that, once the information provided discloses the commission of a

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cognizable offence, it is imperative for the police to register the F.I.R. without conducting any preliminary inquiry. This judgment reinforces the principle that the registration of an F.I.R. is a duty that must be carried out promptly upon the receipt of credible information regarding a cognizable crime. The relevant paragraphs are reproduced hereinbelow:

> *"83. In terms of the language used in Section 154 of the Code, the police is duty-bound to proceed to conduct investigation into a cognizable offence even without receiving information (i.e. FIR) about commission of such an offence, if the officer in charge of the police station otherwise suspects the commission of such an offence. The legislative intent is therefore quite clear i.e. to ensure that every cognizable offence is promptly investigated in accordance with law. This being the legal position, there is no reason that there should be any discretion or option left with the police to register or not to register an FIR when information is given about the commission of a cognizable offence. Every cognizable offence must be investigated promptly in accordance with law and all information provided under Section 154 of the Code about the commission of a cognizable offence must be registered as an FIR so as to initiate an offence. The requirement of Section 154 of the Code is only that the report must disclose the commission of a cognizable offence and that is sufficient to set the investigating machinery into action."*
>
> (Emphasis supplied)

34. The foregoing discussion leads us to the inevitable conclusion that when an informant approaches the police with information regarding the commission of a cognizable offence, the police owes a duty to promptly register an F.I.R. and initiate investigation in accordance with Section 154 of the CrPC. The police authorities are not vested with any discretion to conduct a preliminary inquiry to assess the credibility of the information before registering the F.I.R. Any such practice would be contrary to the established principles of criminal law.

35. Over a period of time, this Court through its legion of decisions, has emphasized the necessity of ensuring the prompt registration of F.I.R. to uphold the rule of law and prevent any undue delay in the commencement of criminal investigation. Timely registration of an F.I.R. not only ensures that crucial evidence is preserved but also serves to protect the rights of victims by setting the criminal justice process in motion without unnecessary procedural impediments.

36. In the present case, the appellants had approached the territorial police station on 21.07.2023 and 09.09.2023 respectively for registration of an F.I.R., alleging foul play and commission of offence under the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The appellant nos. 1 and 2 respectively, further,

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on 11.09.2023, addressed a detailed letter to the Deputy Commissioner of Police, South-West, New Delhi for registration of F.I.R. However, no heed was paid to the fervent appeal made by the appellants herein.

37. The husband of appellant no. 3 (father of Ayush Ashna) in his complaint, dated 21.07.2023 addressed to the D.C.P., Vasant Vihar, New Delhi, had informed the Police that his son, Ayush Ashna, was facing caste-based harassment from his hostel inmates as well as the faculty members. He further informed the Police that his son had to change his hostel owing to his caste category being revealed in the branch change list. He, therefore, demanded an investigation into his son's untimely and unnatural death.

38. Appellant nos. 1 and 2 respectively in their complaint dated 09.09.2023, stated that the death of Anil Kumar was not due to suicide, but was a result of murder based on caste hatred. They also informed the Police that Anil Kumar was facing caste-based discrimination including the use of derogatory caste-based words by the members of the faculty.

39. There is no doubt that the offence alleged by the appellants in their respective complaints disclosed commission of cognizable offences.

40. It is altogether a different thing to say that there is no element of truth in what has been alleged by the appellants in their respective complaints. It could just be a figment of their imagination. It could also be just a reflection of their anger towards the management as two young boys lost their lives. Even if the Police was of the view that there was no element of truth in what had been alleged by the appellants, it could have said so only after registering an F.I.R. and conducting an investigation pursuant thereto. We say so because this is the law. The Police could not have taken a shortcut just because something happened in the hostel of an eminent educational institution like IIT Delhi. It seems that the Police very quickly jumped to the conclusion that the two boys were in some sort of depression as they were not doing well in their studies. Such conclusion of the Police may as well be correct. However, again, at the cost of repetition, we say that such a conclusion could have been arrived at only after following the due process of law, i.e., registration of an F.I.R. and investigation. Nobody would have stopped the Police from filing an appropriate closure report saying that no case is made out. However, to close the entire matter after undertaking an investigation under Section 174 of the CrPC is something which we do not approve of.

41. It is legitimate to argue that the commission of suicide is not a cognizable offence. A person who commits suicide goes beyond the cognizance of police. What is cognizable in cases of suicide is the abetment to commit suicide. Therefore, the complaint made by the

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complainant must disclose abetment of commission of suicide by the person named therein before an F.I.R. can be registered.

42. Further, the offence alleged to have been committed under Section 3(1)(q) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 ("SC/ST (PoA) Act, 1989") is a cognizable offence under Section 18 of the said Act. The relevant provision reads thus:

> *"18-A. No enquiry or approval required. -*
>
> *(1) For the purposes of this Act,-*
>
> *i. preliminary enquiry shall not be required for registration of a First Information Report against any person; or*
>
> *ii. the investigating officer shall not require approval for the arrest, if necessary, of any person, against whom an accusation of having committed an offence under this Act has been made and no procedure other than that provided under this Act or the Code shall apply."*

43. The aforementioned provision, in the most unambiguous language, lays down that no preliminary enquiry is required for the registration of an F.I.R. This leaves no room for the authorities to delve into an investigation so as to determine the reasons leading to the commission of suicide by the students when categorical statements regarding caste-based harassment and discrimination were made in the complaint. The SC/ST (PoA) Act, 1989 was enacted with the intent to enlarge the scope of criminal liability by including several acts or omissions of atrocities that were not covered by the I.P.C. or the Protection of Civil Liberties Act, 1955 as summed up by this Court in *National Campaign on Dalit Human Rights* v. *Union of India*, (2017) 2 SCC 432.

44. We also take notice of the following:

> *"No. 15011/91/2013-SC/ST-W*
>
> *Government of India/Bharat Sarkar*
>
> *Ministry of Home Affairs*
>
> ** * * * **
>
> *NDCC - II Building*,
>
> *Jai Singh Road*
>
> *New Delhi*
>
> *Dated the 12th October, 2015*
>
> *To*
>
> *The Chief Secretaries*
>
> *All State Governments/UT Administrations*
>
> *Subject : Advisory on no discrimination in compulsory registration of FIRs-*

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Regarding

Sir/Madam,

1. *Reference is invited to this Ministry's Advisories dated 10th May 2013 and 5th February 2014 regarding compulsory registration of FIR u/s 154 Cr P.C. (copies enclosed).*
2. *In these advisories it was made clear that as per section 154(1) of the Cr. P.C. a police officer is duty bound to register a case on the basis of such information disclosing a cognizable offence and FIR has to be registered irrespective of territorial jurisdiction.*
3. *National Commission for Minorities in its Annual Report 2011-2012 has recommended prompt action in registration of FIRs, timely filing of charge sheet and speedy trial to restore the faith of minorities. In this regard, it is pertinent to note that registration of FIR is the first step in the whole process. Therefore all States/UTs must ensure that utmost promptness in registering FIRs is extended to all those who approach the police for registration of FIRs without any discrimination of whatever kind. Once again it is requested to ensure that FIRs get registered in strict compliance to above stated advisories.*
4. *It is requested to kindly ensure that these instructions are circulated amongst all concerned Departments/Organizations and others under your jurisdiction for strict compliance.*

Yours faithfully

Kumar Alok

Joint Secretary to the Govt. of India

Tel No. 23438100."

45. We also take notice of the following advisory dated 5.02.2024 issued by the Ministry of Home Affairs:

"Mo. 15011/91/2013 - SC/ST-W

Government of India

Ministry of Home Affairs

Centre State Division

5th Floor, NDCC-II Building

Jai Singh Road, New Delhi

Dated the 5th February, 2024

To

The Additional Chief Secretary/Principal Secretary (Home Department)

Sub : - Compulsory Registration of FIR u/s 154 Cr. P.C. when the information makes out a cognizable offence

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Sir/Madam,

This is in continuation to the earlier advisory of the Ministry of Home Affairs dated 10-05-2013 regarding the registration of FIR irrespective of territorial jurisdiction and zero FIR.

We had made it clear that as per section 154(1) of the Cr. P.C. a police officer is duty bound to register a case on the basis of such information disclosing a cognizable offence. We had also made it clear that when it becomes apparent that even if the offence has been committed outside the jurisdiction of the police station, zero FIR would still be registered and the FIR would be then transferred to the appropriate police station as per Section 170 of the Cr. P.C.

2. A Constitution Bench of the Supreme Court in W.P, (Cri.) No. 68 of 2008 in Lalita Kumar *v.* Government of U.P. *on 12-11-2013 had addressed the issue of mandatory registration of FIRs and had held that registration of FIR either on the basis of the information furnished by the informant when it makes out a cognizable offence u/s 154(1) of the Cr. P.C. or otherwise u/s 157(1) of the Cr. P.C. is obligatory. It also held that reliability, genuineness and credibility of the information are not conditions precedent for registering a case u/s 154 of the Cr. P.C. Since the legislative intent is to ensure that every cognizable offence is promptly investigated in accordance with law, hence there is no discretion or option left with the police to register or not to register an FIR once information of a cognizable offence has been provided. The court was quite perturbed about the burking of crime registration and has concluded that non-registration of crime leads to dilution of rule of law and thus leads to definite lawlessness in the society, which is detrimental to the society as a whole. It has hence called for action against erring officers who do not register an FIR if information received by him/her discloses the commission of a cognizable offence. It may be mentioned that Section 166A of Cr. P.C. prescribes a penalty of imprisonment up to two years and also a fine for non-registration of a FIR for an offence described u/s 166A. It may be also mentioned that if after investigation the information given is found to be false, there is always an option to prosecute the complainant for filing a false FIR under Chapter XI of the I.P.C.*

3. The Supreme Court has provided for some exceptions to the mandatory registration of FIR and for the conduct of preliminary inquiry which are as follows:

(a) If the information received does not disclose the commission of cognizable offence but indicates the necessity for an inquiry, a preliminary inquiry may be conducted only to ascertain whether a cognizable offence is disclosed or not. If the inquiry discloses the commission of a cognizable offence, the FIR must

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be registered. In cases where preliminary inquiry ends in closing the complaint, a copy of the entry of such closure must be supplied to the first informant within one week and it must also disclose the reasons in brief for closing the complaint and not proceeding further.

(b) The other categories of cases in which preliminary inquiry may be made are:

(i) Matrimonial disputes/family disputes

(ii) Commercial offences

(iii) Medical negligence cases

(iv) Corruption cases

(v) Cases where there is an abnormal delay in initiating criminal prosecution.

Example : over 3 months delay in reporting the matter without satisfactorily explaining the reasons for delay

(vi) The Supreme Court has also insisted that all preliminary inquiries should be completed within 7 days and any delay with the causes should be reflected in the General Diary/Station House Diary/Daily Diary.

4. The Supreme Court has, inter-alia, deprecated the practice of first recording the information in the General Diary and then conducting a preliminary inquiry and thereafter registering the FIR. It has clarified that registration of the FIR is to be done in the FIR Register/Book (in the standard format prescribed) and in addition, the gist or substance of the FIR is to be recorded in the General Diary as mandated in the Police Act or Police Regulations.

5. In addition, to ensure accountability in the functioning of police, the Supreme Court emphasized that all actions of the police should be reduced to writing and documented through entries made in the General Diary of the Police Station.

6. Home Departments of the States/UTs may direct the DGPs/IGPs to issue necessary instructions in the light of the above advisory so that ail police officers are made aware of them and the contents are also incorporated in the training curriculum of the police personnel.

7. The receipt of the same may kindly be acknowledged."

(S. Suresh Kumar)

Joint Secretary (CS)"

46. The aforesaid advisory makes the following very clear:

i. Registration of an F.I.R. is mandatory under Section 154 of the Code, if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation.

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ii. If the information received does not disclose a cognizable offence but indicates the necessity for an inquiry, a preliminary inquiry may be conducted only to ascertain whether a cognizable offence is disclosed or not.

iii. If the inquiry discloses the commission of a cognizable offence, the F.I.R. must be registered. In cases where preliminary inquiry ends in closing the complaint, a copy of the entry of such closure must be supplied to the first informant forthwith and not later than one week. It must disclose reasons in brief for closing the complaint and not proceeding further.

iv. The police officer cannot avoid his duty of registering the offence if a cognizable offence is disclosed. Action must be taken against erring officers who do not register an F.I.R. if information received by them discloses a cognizable offence.

v. The scope of preliminary inquiry is not to verify the veracity or otherwise of the information received but only to ascertain whether the information reveals any cognizable offence.

vi. As to what type and in which cases preliminary inquiry is to be conducted will depend on the facts and circumstances of each case. The category of cases in which preliminary inquiry may be made are as under:

a. Matrimonial disputes/family disputes

b. Commercial offences

c. Medical negligence cases

d. Corruption cases

e. Cases where there is an abnormal delay in initiating criminal prosecution, for example, over three months delay in reporting the matter without satisfactorily explaining the reasons for delay. The aforesaid are only illustrations and not exhaustive of all conditions which may warrant preliminary inquiry.

vii. While ensuring and protecting the rights of the accused and the complainant, a preliminary inquiry should be made time bound and in any case it should not exceed 7 days. The fact of such delay and the causes of it must be reflected in the General Diary entry.

viii. Since the General Diary/Station Diary/Daily Diary is the record of all information received in a police station, we direct that all information relating to cognizable offences, whether resulting in registration of an F.I.R. or leading to an inquiry, must be mandatorily and meticulously reflected in the said Diary and the decision to conduct a preliminary inquiry must also be reflected, as mentioned above.

F. CONCLUSION

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47. We are of the view that responsibility of maintaining the safety and well-being of students rests heavily on the administration of every educational institution. Therefore, in the event of any unfortunate incident, such as a suicide occurring on campus, it becomes their unequivocal duty to promptly lodge an F.I.R. with the appropriate authorities. Such action is not only a legal obligation but also a moral imperative to ensure transparency, accountability, and the pursuit of justice. Simultaneously, it is incumbent upon the police authorities to act with diligence and responsibility by registering the FIR without refusal or delay. This ensures that due process of law is upheld, and a thorough investigation can be conducted to uncover the truth and address any underlying causes. The harmonious discharge of these duties by both educational institutions and law enforcement agencies is essential to prevent the recurrence of such tragedies and to preserve trust in societal institutions. In a given case, failure on part of the administration of any educational institution may be viewed strictly.

48. For all the foregoing reasons we direct the DCP (South-West District, New Delhi) to register the First Information Report in line with two respective complaints lodged in writing by the kith and kin of the two students who committed suicide and depute any responsible officer, not below the rank of Assistant Commissioner of Police, to undertake the investigation in accordance with law. We need not say anything further as investigation of any crime is within the domain of the police.

G. NATIONAL TASK FORCE TO ADDRESS THE MENTAL HEALTH CONCERNS OF STUDENTS AND PREVENT THE COMMISSION OF SUICIDES IN HIGHER EDUCATIONAL INSTITUTIONS

49. However, we do not intend to close the matter just with a direction to register the F.I.R. We deem it absolutely necessary to discuss the disturbing pattern of student suicides being reported from various educational institutes across the country.

50. On 19th March, 2025, a third-year law student, aged 21 years, at the Gujarat National Law University (GNLU) was found dead in his dorm room. The deceased student was a native of Patiala in Punjab. He had apparently hanged himself from the latch and was found on the floor.[1]

51. On 25th February, 2025, a third-year student at the Indian Institute of Technology, Patna took his life by allegedly jumping from the seventh floor of his hostel premises situated within the campus itself allegedly owing to excessive academic pressure.[2]

52. On 15th February, 2025, a third-year student pursuing a Bachelors in Technology from Kalinga Institute of Industrial Technology (KIIT) campus in Bhubaneswar, Odisha, was found hanging from the

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ceiling fan in her hostel room on account of alleged sexual harassment and blackmailing by a fellow student.[3]

53. On 18 February, 2024, a second-year student at the College of Veterinary and Animal Sciences, Wayanad, Kerala, was found hanging in the bathroom of his hostel, after allegedly being tortured by his seniors and batchmates days before his death.[4]

54. What disturbs us even more is that the abovementioned incidents are not isolated one-off occurrences but are only a few out of the many which have taken place over a period of time owing to a multitude of reasons like ragging, academic pressure, caste-based discrimination, sexual harassment, etc. As per the data provided by the Union Minister of State for Education to the Rajya Sabha in 2023, 98 students died by suicide in higher educational institutes since 2018, out of which 39 were from IITs, 25 from NITs, 25 from central universities, four from IIMs, three from IISERs and two from IIITs.[5]

55. Each suicide is a personal tragedy that prematurely takes the life of an individual and has a continuing ripple effect, affecting the lives of families, friends and communities. According to the 210th Report of the Law Commission of India, suicide has been identified as one of the most significant factors contributing to the premature and unnatural cessation of human life.[6] The statistics contained in the Report of the National Crime Records Bureau (for short, "the NCRB") for the year 2021 highlight the grim reality of over 13,000 students having lost their lives by committing suicide in the country which is almost twice the already disturbing number a decade ago. The number of student suicides has now surpassed suicides committed by farmers due to agrarian distress, with a four percent rise in 2024 alone.[7] According to the NCRB Report titled "Accidental Deaths and Suicides in India, 2022" student suicides accounted for 7.6% of the total number of suicides committed in India in 2022 with 1.2% of total suicides attributable to professional/career problems and 1.2% to failure in examination.

56. In the backdrop of the rising incidence of student suicides on college campuses and in higher educational institutions, including the Indian Institutes of Technology (IITs), National Institutes of Technology (NITs) and Indian Institutes of Management (IIMs), we believe that it is high time we take cognizance of this serious issue and formulate comprehensive and effective guidelines to address and mitigate the underlying causes contributing to such distress among students.

57. We believe from our little understanding that the suicide epidemic in educational institutions can be attributed to a plethora of factors including but not limited to academic pressure, caste-based

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discrimination, financial stress, and sexual harassment, with eminent institutions like the IITs and NITs reporting high rates linked to exam failures[8].

58. A number of news reports point out that caste-based discrimination is rampant and pervasive, even in prestigious educational institutions, aggravating the sense of alienation among students from marginalised communities. Caste-based discrimination on college campuses is in clear violation of Article 15 of the Constitution which *inter alia* prohibits discrimination on the ground of caste. In response to a question put up in the Rajya Sabha in 2021, the Ministry of Education submitted that 60% of the students who dropped-out from seven reputed IITs belonged to the reserved categories.

59. We are aware that a coordinate Bench of this Court is in seisin of the issue pertaining to caste-based discrimination in educational institutions in the case of *Abeda Salim Tadvi* v. *Union of India*, (W.P. (C) No. 1149/2019). Pursuant to the directions of this Court in the said matter, the University Grants Commission (for short, "the UGC") has published the draft University Grants Commission (Promotion of Equity in Higher Education Institutions) Regulations, 2025. The avowed object of the said Regulations is to ensure a safe, inclusive, and equitable learning environment for all students, faculty members, and staff by preventing any form of discrimination based on religion, race, caste, sex, or place of birth within Higher Educational Institutions.

60. The aforesaid draft Regulations published by the UGC also assume importance as the phenomenon of "othering" of students belonging to the marginalised communities, whether based on caste, gender or ethnicity, is being reported with an increasing frequency and it is only through sensitization of students and the faculty members that it can be ensured that campuses become safe spaces which are equal for students coming from the different walks of life.

61. While the steps taken by the UGC pursuant to the directions of this Court in *Abeda Salim Tadvi* (supra) are in the right direction inasmuch as they aim to prevent all forms of on-campus discrimination, we intend to take a step further towards creating an institutionalised mechanism for ensuring the mental well-being of students studying in Higher Educational Institutions so as to mitigate the instances of commission of suicides by students owing to discrimination, academic pressure, harassment, or any other concern affecting the mental well-being of students.

62. Based on a survey conducted by Seena Mary Thankachan, a researcher at the Pune International Centre, it was reported that 70% of the faculty members across IITs felt ill-equipped to address mental health issues, and 90% lacked proper training to support students with

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such sensitive concerns.[9] Implementing strict anti-discrimination policies, cultural sensitivity training, and support groups for marginalised students is crucial to uproot institutional and systemic discrimination against disadvantaged groups which effectively undermines their full and equal social, economic, political, and cultural participation in society.[10]

63. The relentless pressure to perform in a purely score-based education system, coupled with the extreme competition for limited seats in premier educational institutions, places a terrifying burden on the students' mental health. The inordinate burden on students to work on multiple projects simultaneously exacerbates academic pressure. Several students who come from competitive coaching centres bring pre-existing mental health issues, which get further heightened when they enter Higher Educational Institutions. Although it is difficult to eradicate this distress yet it can be managed by introducing flexible curricula, continuous assessment methods, structured support for managing backlogs and on campus support for psychological issues faced by the students.[11]

64. Another cause of student suicides remains brutality in the form of ragging, which is often concealed by colleges and universities to safeguard their reputation. This violates the right to dignity and education of students. It has been clarified by this Court in *Farzana Batool* v. *Union of India*, 2021 SCC OnLine SC 3433 that "*while the right to pursue higher (professional) education has not been spelt out as a fundamental right in Part III of the Constitution, it bears emphasis that access to professional education is not a governmental largesse. Instead, the State has an affirmative obligation to facilitate access to education, at all levels.*"

65. The R.K. Raghavan Committee was appointed to curb the menace of ragging which detailed the causes and actionable remedies in its 2007 Report. It was pointed out by the Committee that most State laws only seek to prohibit, and not prevent, ragging, and "while prevention must lead to prohibition, the reverse need not be true." There also exist the UGC Regulations on Curbing the Menace of Ragging in Higher Educational Institutions 2009, however, news reports have pointed out that tangible actions have not been taken by the stakeholders other than mere formalities such as mandating undertakings from students and parents against indulging in ragging, and putting up no-ragging notices on university premises.[12] While the existing guidelines need to be enforced, there is also a requirement of bringing in new measures for providing psychological support to victims of ragging so as to stop them from taking extreme steps like commission of suicide.

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66. We are of the firm view that universities must acknowledge their role not just as centres of learning but as institutions responsible for the well-being and holistic development of their students. The failure to do so would mean failing the very purpose of education - to uplift, empower, and transform lives. Universities assume the role of a parent when a student leaves his home and comes to study on the campus of the university. As per the principle of '*loco parentis*' when a student at the adolescent age or childhood is sent to school by the parents, it is also the duty of the school authorities to play the role of parents in safeguarding the intertest and welfare of the students. A person in *loco parentis* means a person taking upon himself the duty of a father of a child to make a provision for that child. The duty of the college authorities is not just to ensure academic excellence of the students but also to ensure their mental well-being, and not just exercise authority and control over students but also to provide support in times of distress.

67. The nation has already suffered the tragic loss of numerous students - young individuals with immense potential who could have gone on to become successful professionals. However, due to the absence of adequate institutional support, they were driven to take the extreme step of ending their own lives. These distressing incidents not only highlight systemic failures but also expose a severe lack of institutional empathy and accountability on the part of educational institutions. When academic environments fail to address discrimination, harassment, and mental health concerns effectively, they contribute to a culture of neglect that can have devastating consequences.

68. As a society, and as stakeholders in shaping the future of our youth, we must take collective responsibility to ensure that no more lives are lost due to apathy or indifference. It is imperative for institutions to have a culture of sensitivity and proactive intervention so that every student feels safe, supported, and empowered to pursue their aspirations without fear or discrimination.

69. The recurring instances of student suicides in Higher Educational Institutions, including private educational institutions, serve as a grim reminder of the inadequacy and ineffectiveness of the existing legal and institutional framework in addressing mental health concerns of students on campuses and to prevent the students from taking the extreme step of committing suicides. These tragedies underscore the urgent need for a more robust, comprehensive, and responsive mechanism to address the various factors which compel certain students to resort to taking their own lives. In light of the concerns expressed above, a National Task Force to address the mental health concerns of students and prevent the commission of suicides in Higher

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Educational Institutions is being constituted and shall comprise of the following members:

i. Justice S. Ravindra Bhat, Former Judge, Supreme Court of India, as the Chairperson;

ii. Dr. Alok Sarin, Consultant Psychiatrist, Sitaram Bhartia Institute of Science & Research, New Delhi;

iii. Prof. Mary E. John (retired), Former Director, Centre for Women's Development Studies, New Delhi;

iv. Mr. Arman Ali, Executive Director, National Centre for Promotion of Employment for Disabled People;

v. Prof. Rajendar Kachroo, Founder, Aman Satya Kachroo Trust;

vi. Dr. Aqsa Shaikh, Professor of the Department of Community Medicine in Hamdard Institute of Medical Sciences and Research, New Delhi;

vii. Dr. Seema Mehrotra, Professor of Clinical Psychology, NIMHANS;

viii. Prof. Virginius Xaxa, Visiting Professor at the Institute for Human Development (IHD), New Delhi;

ix. Dr. Nidhi S. Sabharwal, Associate Professor, Centre for Policy Research in Higher Education, National University of Educational Planning and Administration, New Delhi;

x. Ms. Aparna Bhat, Senior Advocate (as *amicus curiae*).

70. The following shall be the ex-officio members of this Task Force:

i. Secretary, Department of Higher Education, Ministry of Education, Government of India;

ii. Secretary, Department of Social Justice & Empowerment, Ministry of Social Justice & Empowerment, Government of India;

iii. Secretary, Ministry of Women and Child Development, Government of India;

iv. Secretary, Department of Legal Affairs, Ministry of Law and Justice, Government of India.

71. We direct the Chief Secretaries of all the States/Union Territories to nominate a high ranking officer, not below the rank of Joint Secretary in the Department of Higher Education of the respective State/Union Territory, to act as the nodal officer on behalf of the respective State/Union Territory. We further direct all the concerned departments/authorities of the respective State/Union Territory to cooperate with the nodal officer concerned and furnish necessary information, data and assistance as may be sought by such nodal officer.

72. The Joint Secretary, Department of Higher Education, Ministry of Education, Government of India shall act as the convener of the Task Force.

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73. The Task Force includes representatives from diverse fields to ensure an interdisciplinary approach to tackling the issue of commission of suicides in Higher Educational Institutions.

74. The remit of this Task Force is to prepare a comprehensive report that includes:

i. Identification of the predominant causes which lead to commission of suicides by students : An examination of the various causes which lead to student suicides in Higher Educational Institutions, including but not limited to ragging, caste-based discrimination, gender-based discrimination, sexual harassment, academic pressure, financial burden, mental health related stigma, discrimination based on ethnicity, tribal identity, disability, sexual orientation, political views, religious belief or any other grounds.

ii. Analysis of Existing Regulations : A thorough assessment of the effectiveness of current laws, policies, and institutional frameworks applicable to Higher Educational Institutions concerning ragging, caste-based and gender-based discrimination, sexual harassment, mental health support, support for students facing academic challenges, financial support to students in need of funds, etc. This analysis will evaluate whether these frameworks adequately address the challenges faced by students.

iii. Recommendations for Strengthening Protections : Proposing necessary reforms to the existing legal and institutional frameworks to ensure stronger enforcement, accountability, and preventive measures. The Task Force shall also put forth recommendations to address existing gaps, create a more inclusive and supportive academic environment, and ensure equal opportunities for members of marginalized communities.

75. In the process of preparing its report, the Task Force shall have the authority to conduct surprise inspections of any Higher Educational Institution. Additionally, the Task Force shall be at liberty to make further recommendations beyond the specified mandate, wherever necessary, to ensure a holistic and effective approach towards addressing mental-health concerns of students and eliminating the incidence of suicides in Higher Educational Institutions. The Task Force is requested to take into account the views and concerns of all stakeholders, including those of student unions, whether elected or nominated and other student representative bodies, wherever they exist. The Task Force is also requested to seek representation from and consult the governments of all the States and Union Territories. The Task Force may also consider obtaining the views of the different

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stakeholders by way of circulating a questionnaire and seeking written responses thereupon.

76. It is clarified that the term "Higher Educational Institution" is used broadly to cover all higher educational institutions, including government and private universities, deemed to be universities, government and private colleges, etc.

77. The Secretary, Department of Higher Education, Ministry of Education; the Secretary, Department of Social Justice & Empowerment, Ministry of Social Justice & Empowerment; the Secretary, Ministry of Women and Child Development; and the Secretary, Department of Legal Affairs, Ministry of Law and Justice, Government of India, shall collaborate with the Task Force and extend full cooperation by providing all necessary information, documents, and resources required by the Task Force to effectively carry out its mandate.

78. The Secretary, Department of Higher Education, Ministry of Education, Government of India shall serve as the Member-Secretary of the Task Force. The Ministry of Education, Government of India shall be responsible for providing all necessary logistical support to facilitate the functioning of the Task Force. This shall include making arrangements for travel, accommodation, and secretarial assistance, as well as covering all related expenses of the Task Force members. The Ministry shall provide a sufficiently large office space to the Task Force for holding its meetings and also to enable the officials to carry on its day-to-day activities. Additionally, the Ministry shall provide an appropriate honorarium to the members in recognition of their contributions.

79. We also direct that the Central Government, the Governments of all the States/Union Territories and agencies thereof, and Universities shall extend their full and active cooperation to the Task Force and provide the requisite data, information and assistance, as may be necessary. In the case of delay, reluctance or neglect on part of the aforesaid bodies, the Task Force will be at liberty to approach this Court through the *amicus curiae* seeking remedial actions.

80. The Chairperson of the Task Force shall be at liberty to engage the services of any person for the purpose of providing secretarial assistance in coordinating with the members of the Task Force, preparation of the interim and final report and for the smooth and effective discharge of any other responsibilities as may arise during the course of carrying out the mandate of the Task Force. This shall include the engagement of the services of Data Analysts and Research Assistants as may be necessary for the effective discharge of the mandate of the Task Force.

81. The Chairperson of the Task Force shall also be at liberty to constitute, after due consultation with the members of the Task Force,

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committees and sub-committees as may be required for the purpose of carrying out specific functions.

82. We direct the Union of India to deposit an amount of Rupees Twenty Lacs (Rs 20,00,000/-) with the Registry within two weeks from the date of this order as an outlay for the initial operations of the Task Force. The *amicus curiae* shall be at liberty to move an appropriate application seeking orders for disbursement of any additional funds, whenever necessary. We clarify that this amount is in addition to the financial and administrative responsibility of the Ministry of Education as described aforesaid.

83. The Task Force is requested to present an interim report within four months from the date of this order. The final report shall be submitted preferably within eight months from the date of this order.

84. We treat this matter as part heard. The registry shall notify this matter after four months alongwith the interim report of the Task Force before this very Bench (J.B. Pardiwala and R. Mahadevan, JJ.) after obtaining appropriate orders from Honourable the Chief Justice of India.

———

[1] *Gujarat National Law University student ends life on campus*, THE TIMES OF INDIA, March 19, 2025.

[2] *IIT Patna student dies by 'suicide' on campus*, THE INDIAN EXPRESS, February 27, 2025.

[3] *Why suicide of Nepali student at Odisha's KIIT campus forced Nepal PM to intervene*, FIRSTPOST, February 18, 2025.

[4] *Wayanad student suicide : Six arrested for college student's suicide*, THE NEW INDIAN EXPRESS, February 29, 2024.

[5] *98 students died by suicide in higher educational institutes since 2018 : Centre*, HINDUSTAN TIMES, July 27, 2023.

[6] Law Commission of India, Report No. 210 on the Humanisation and Decriminalisation of Attempt to Suicide, Para 1.5 (October 2008).

[7] *More Students Dying by Suicide Than Farmers Reveals Another Deadly Crisis*, THE QUINT, October 23, 2024.

[8] *Id.*

[9] *OPINION : The silent crisis in the IITs*, THE WEEK, July 27, 2024.

[10] *Anjum Kadari* v. *Union of India*, 2024 SCC OnLine SC 3129.

[11] *Supra* 8.

[12] *Unending ordeal : On continuing acts of ragging*, THE HINDU, November 27, 2023.

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2025 SCC OnLine SC 382

In the Supreme Court of India

(BEFORE DIPANKAR DATTA AND SANDEEP MEHTA, JJ.)

State of Karnataka ... Appellant(s);

Versus

T.N. Sudhakar Reddy ... Respondent(s).

Criminal Appeal No(s). 5001 of 2024 (Arising out of SLP(Criminal) No(s). 13264 of 2024)

Decided on February 17, 2025

The Judgment of the Court was delivered by

SANDEEP MEHTA, J.:— Heard.

2. The present appeal by special leave is preferred by the appellant-State, challenging the judgment and final order dated 4th March, 2024 passed by the High Court of Karnataka at Bengaluru[1], whereby the High Court allowed the Criminal Petition No. 13460 of 2023, filed by respondent-accused[2] under Section 482 of the Criminal Procedure Code, 1973[3], and quashed the FIR being Crime No. 56 of 2023 registered by the Karnataka Lokayukta Police Station, Bangalore against the respondent for the offences punishable under Section 13(1)(b) and Section 12 read with Section 13(2) of the Prevention of Corruption Act, 1988.[4]

Brief facts:

3. The respondent is a public servant who joined the Karnataka Power Transmission Corporation Limited[5] on 3rd August, 2007 as an Assistant Executive Engineer (Electrical). In 2021, he was promoted to the post of Deputy General Manager (Vigilance)/Executive Engineer (Electrical) at BESCOM, Bengaluru, Vigilance Squad, Bangalore and was discharging his duties in the said capacity.

4. The Police Inspector, Karnataka Lokayukta, Bangalore, submitted a source information report dated 10th November, 2023 to the Superintendent of Police, Karnataka Lokayukta, Bangalore[6] alleging *inter alia* that during his service tenure in various government department units, the respondent had acquired assets amounting to Rs. 3,81,40,246/-, which were disproportionate and almost 90.72% more than his known sources of income.

5. Based on the said source information report, the Superintendent of Police issued an order dated 4th December, 2023, directing the

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Deputy Superintendent of Police, Karnataka Lokayukta, Bangalore[7] to register a case against the respondent for offences punishable under Section 13(1)(b), and Section 12 read with Section 13(2) of the PC Act, and further authorized the said officer to conduct the investigation of the case. The order dated 4th December, 2023 around which the controversy revolves is reproduced herein below for ready reference:—

"KARNATAKA LOKAYUKTHA

No KLA/B'City(SP-2)/Source/02/2023

Office of the Superintendent of Police,
Karnataka Lokayukta, Bengaluru City-2, Bengaluru,
Dated 04.12.2023

PROCEEDINGS OF THE SUPERINTENDENT OF POLICE KARNATAKA LOKAYUKTHA
BENGALURU CITY-2

Sub Possession of properties disproportionate to known source of income by Sri. T N Sudhakar Reddy, DGM,(EE) Ele, BESCOM Vigilance, Bangalore.

Ref Source Report submitted by Sri Balaji Babu H N, Police Inspector-8, Karnataka Lokayukta, Bengaluru City P S, Dated 10.11.2023

I have gone through the source report submitted by Sri Balaji Babu H N, Police Inspector-8, Karnataka Lokayukta, Bengaluru City P S, relating to his receipt of credible information that Shri T N Sudhakar Reddy, DGM,(EE) Ele, BESCOM Vigilance, Bangalore has acquired properties disproportionate to his known source of income to the extent of Rs. 3,81,40,246/- and thereby committed an offence under section 13(l)(b) r/w 13(2) and 12 of Prevention of Corruption Act, 1988.

From the material placed before me and with application of my mind I am satisfied that a prima-facie case is made out against Sri T N Sudhakar Reddy, D6M (EE), Ele, BESCOM Vigilance, Bangalore Warranting a statutory investigation for an offence under section 13 (l)(b) r/w 13(2) & 12 of Prevention of Corruption Act, 1988.

ORDER NO. KLA/INV/BCD/SP-2/02/2023, DATED. 04.12.2023.

Therefore by virtue of the powers vested in me under provisions of Section 17 of the Prevention of Corruption Act, 1988, I, Dr. K Vamsikrishna, IPS, Superintendent of Police, Karnataka Lokayukta, Bengaluru City-2, Bengaluru order that Sri. Tippeswamy H J, Deputy Superintendent of Police, Karnataka Lokayukta, Bengaluru City Police Station, Bengaluru to register a case under Section 13(1)(b) r/w 13 (2) & 12 of Prevention of Corruption Act, 1988 against Sri. T N Sudhakar Reddy, DGM(EE), Ele, BESCOM Vigilance, Bangalore and to

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investigate the said case. I know Sri. Tippeswamy H J, Deputy Superintendent of Police and he is having the knowledge of investigation of the cases registered under P.C. Act and also he is having previous experience of investigation of disproportionate of asset cases.

Further, I authorize Sri. Tippeswamy H J, Deputy Superintendent of Police, Karnataka Lokayukta, Bengaluru City Police Station, Bengaluru under the provisions of the section 18 of the Prevention of Corruption Act, 1988 to inspect the bankers books in so far as it relates to the accounts of the persons suspected to be holding money on behalf of the said Sri. T N Sudhakar Reddy, DGM,(EE) Ele, BESCOM Vigilance, Bangalore and to take or cause to be taken certified copies of the relevant entries there from and the bankers concerned shall be bound to assist the police officer Sri. Tippeswamy H J, Deputy Superintendent of Police, Karnataka Lokayukta, Bengaluru City Police Station, Bengaluru in the exercise of the powers under the said section of law.

(Dr. K Vamsirishna., IPS)
Superintendent of Police
Karnataka Lokayukta,
Bengaluru City-2,
Bengaluru.

To:
Sri. Tippeswamy H J,
Dy.S.P-4,
Karnataka Lokayukta
Bengaluru City-2, Bengaluru."

6. On the same day, *i.e.*, 4th December 2023, an FIR[8] came to be registered against the respondent at the Karnataka Lokayukta Police Station, Bangalore City, for the offences punishable under Section 13 (1)(b) and Section 12 read with Section 13(2) of the PC Act.

7. Aggrieved, the respondent filed a Criminal Petition[9] under Section 482 of the CrPC before the High Court, seeking quashing of the aforesaid FIR. The High Court, *vide* order dated 4th March, 2024, allowed the criminal petition and quashed the FIR along with all the consequential criminal proceedings arising therefrom. The said order of the High Court is the subject matter of challenge in this appeal by special leave.

Submissions on behalf of Appellant:

8. Learned counsel for the appellant-State vehemently and fervently argued that the High Court grossly erred in allowing the quashing petition preferred by the respondent. In this regard, he has advanced

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the following submissions:

(i) That it is not mandatory to hold a preliminary inquiry when the secret information itself discloses the commission of offences under the PC Act. The scope of the preliminary inquiry is not to ascertain the veracity of the information, but only to check whether the information reveals the commission of a cognizable offence or not. Therefore, the necessity to conduct a preliminary inquiry is dependent upon the factual matrix of each case. Learned counsel in this regard has put reliance upon the decisions of this Court in the cases of *CBI* v. *Thommandru Hannah Vijaylakshmi*[10] and *National Confederation of Officers Association of Central and Public Sector Enterprises* v. *Union of India*[11].

(ii) That the Superintendent of Police, upon receiving the source information report from the Police Inspector, Karnataka Lokayukta, Bangalore, thoroughly examined the same and came to a conclusion that the information provided in the said report disclosed a *prima facie* case against the respondent for the offences punishable under Section 13(1)(b) and Section 12 read with Section 13(2) of the PC Act. Thereupon, he directed the Deputy Superintendent of Police to register a case for these offences against the respondent and to conduct investigation. Since there is no legislative prescription as to the format of the preliminary inquiry, the source information report submitted by the Police Inspector, Karnataka Lokayukta, Bangalore, which was critically evaluated by the Superintendent of Police, itself served the purpose of a preliminary inquiry. The source information report not only delineates the assets amassed by the respondent but also lays out the expenditure made by him, which is disproportionate to his known sources of income. He thus urged that the source information report must itself be considered as a preliminary inquiry report. Hence, it would be incorrect to conclude that no preliminary inquiry was undertaken before the registration of the FIR. Learned counsel in this regard has placed reliance upon the decision of this Court in the case of *State of Telangana* v. *Managipet Alias Mangipet Sarveshwar Reddy*[12].

(iii) That once the Superintendent of Police, upon receiving the source information report, was satisfied that the said report disclosed the commission of offences under the PC Act, he was competent under Section 17 of the PC Act to direct the Deputy Superintendent of Police to register an FIR in respect of the offences disclosed in the source information report. Further, it was submitted that the Superintendent of Police was well within his jurisdiction while directing the Deputy Superintendent of Police to

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conduct the investigation of the case. Learned counsel in this regard has placed reliance upon the decision of this Court in the case of *Thommandru Hannah Vijayalakshmi* (supra).

(iv) That the order dated 4th December, 2023 issued by the Superintendent of Police to the Deputy Superintendent of Police was passed after due application of mind to the facts of the case and upon being satisfied that tangible material exists which merits registration of the FIR. It is a reasoned order which sets out the name of the accused, the foundational facts pertaining to acquisition of properties disproportionate to his gross income, the information about all the expenditures incurred by him, the nature of the offence, the relevant provisions of the PC Act, and most importantly, the power of the Superintendent of Police to direct the Deputy Superintendent of Police to register an FIR and investigate the case. Thus, the High Court was not justified in concluding that the Superintendent of Police did not apply his mind while issuing the order of registration of FIR and the consequent authorization for investigation into the offences thereunder. Reliance placed by the High Court on the judgment in the case of *State of Haryana* v. *Bhajan Lal*[13] is misplaced because the present case does not fall within any of the categories enumerated therein, justifying the decision to allow the quashing petition filed by the respondent.

On these grounds, learned counsel appearing for the appellant-State implored this Court to accept the appeal, set aside the impugned judgment and restore the FIR, registered against the respondent.

Submission on behalf of the Respondent:

9. *Per contra*, learned senior counsel appearing for the respondent vehemently and fervently opposed the submissions advanced on behalf of the appellant-State. He advanced the following pertinent submissions, imploring this Court to dismiss the present appeal:—

(i) That the High Court was fully justified in quashing the FIR in Crime No. 56 of 2023 considering that the order dated 4th December, 2023, issued by the Superintendent of Police, was passed without conducting any preliminary inquiry. It is a well-established principle of law that before an FIR is registered against a public servant for the offences punishable under the PC Act, a preliminary inquiry must be undertaken by the competent authority, considering the gravity of accusations involved in such cases which have a direct bearing on the accused/public servant's reputation and the reputation of the entire department. Thus, a preliminary inquiry before registration of an FIR is mandatory so as to avoid abuse of the process of law considering that the

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primary objective of conducting the preliminary inquiry is to ensure that the criminal investigation is not initiated on a frivolous and untenable complaint. Learned senior counsel in this regard placed reliance upon the decisions of this Court in *P Sirajuddin* v. *State of Madras*[14]; *Lalitha Kumari* v. *Government of Uttar Pradesh*[15]; and *Charansingh* v. *State of Maharashtra*[16]

(ii) That any order issued under Section 17 of the PC Act, directing investigation in the FIR, must be passed with judicious discretion, based upon due application of mind and supported by substantive reasons. The second proviso to Section 17 of the PC Act, which is an additional safeguard for public servants, stipulates that any offence that is punishable under Section 13(1)(b) of the PC Act shall not be investigated without the order of a police officer who is below the rank of a Superintendent of Police. Thus, the Superintendent of Police was under an obligation to record reasons before directing the Deputy Superintendent of Police to register the FIR and conduct investigation thereupon. However, in the present case, the Superintendent of Police passed the order for registration of FIR casually and mechanically, without assigning any reasons. That a bare perusal of the order dated 4th December, 2023 reflects that the Superintendent of Police mentioned having assessed the materials *i.e.*, the source information report dated 10th November, 2023, and applied his mind thereto. However, the order fails to provide any clear reflection of a comprehensive and substantive examination of the said source information report, which makes it evident that the approach of the Superintendent of Police was totally mechanical and laconic, vitiating the criminal proceedings from the very inception i.e., the registration of the FIR.

(iii) That the permission accorded by the Superintendent of Police to register the FIR was based entirely upon the source information report and no verification whatsoever was sought in order to adjudge the veracity of the allegations made therein. Upon receiving the source information report, an independent preliminary inquiry should have been conducted, before directing registration of the FIR. However, the Superintendent of Police, influenced by the source information report, straight away directed the Deputy Superintendent of Police to register an FIR and simultaneously authorised him to commence the investigation of the case. Learned senior counsel for the respondent further contended that the entire procedure followed by the Superintendent of Police is flawed and in teeth of the law laid down by this Court in *Lalita Kumari* (supra), wherein it was held

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that preliminary inquiry by the police is *sine qua non* in offences related to corruption even if the police are in possession of information that discloses the commission of an offence. Hence, the very initiation of the criminal process is vitiated as it was biased and flawed from the beginning and thus, the High Court has rightly allowed the quashing petition preferred by the respondent.

On these grounds, the learned senior counsel for the respondent urged that the present appeal against the judgment of the High Court is liable to be dismissed, and the High Court's decision to quash the FIR and all consequential proceedings arising therefrom, should be upheld.

Discussion:—

10. We have given our consideration to the submissions advanced at the bar and have gone through the impugned judgment. With the assistance of learned counsels for the parties, we have perused the material placed on record.

11. There is no dispute that the respondent is a public servant who started serving in KPTCL in 2007. He was duly promoted to the post of Deputy General Manager (Vigilance)/Executive Engineer (Electrical), at BESCOM, Bengaluru, and has been discharging his duties in the said capacity.

12. The primary allegation set out against the respondent is that during his tenure of service in various departmental units, the respondent had acquired assets to the tune of Rs. 3,81,40,246/-, which were disproportionate and almost 90.72% more than his known sources of income. A detailed source information report to this effect was submitted to the Superintendent of Police who took cognizance of this report and issued a composite Order (*supra*) dated 4th December, 2023, directing the Deputy Superintendent of Police to register an FIR against the respondent for the offences punishable under Section 13(1)(b) and Section 12 read with Section 13(2) of the PC Act and to investigate the same.

13. The core questions which arise for our consideration in the present case are as follows:—

A. Whether a preliminary inquiry was mandatory before directing registration of an FIR under the PC Act in the facts of the case at hand or whether the source information report could be treated to be a substitute for the preliminary inquiry?

B. Whether the Order dated 4th November, 2023, passed by the Superintendent of Police under Section 17 of the PC Act, is sustainable in the eyes of law?

Issue A : Whether a preliminary inquiry was mandatory before

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directing registration of an FIR under the PC Act in the facts of the case at hand or whether the source information report could be treated to be a substitute for the preliminary inquiry?

14. It is the case of the appellant-State that preliminary inquiry is not mandatory before registration of an FIR. Without prejudice to the above, it is contended that the source information report submitted by the Police Inspector, Karnataka Lokayukta Police Station to the Superintendent of Police, detailing acquisition of assets by the respondent disproportionate to his known sources of income, itself serves as a preliminary inquiry report as it was elaborate enough to disclose a *prima facie* case for the offences punishable under Section 13 (1)(b) and Section 12 read with Section 13(2) of the PC Act.

15. On the other hand, learned counsel for the respondent would urge that the Superintendent of Police acted in gross violation of law while issuing an order to the Deputy Superintendent of Police to register an FIR as preliminary inquiry in 'corruption cases' is a condition precedent for registration of the FIR. Further, preliminary inquiry can only be conducted by a police officer, who is competent to investigate the offence, and thus, a source information report, however detailed, cannot be taken to be a substitute for a preliminary inquiry.

16. In addressing this issue, we must first consider the legal framework established by this Court in a catena of decisions, particularly in *P. Sirajuddin* (supra), *Lalita Kumari* (supra), *Thommandru Hannah Vijayalakshmi* (supra), and *Managipet* (supra). This Court in *P. Sirajuddin* (supra) has held that before any public servant is charged with any acts of dishonesty, a preliminary inquiry 'must' be conducted in order to obviate incalculable harm to the reputation of that person. The relevant para from *P. Sirajuddin* is extracted herein below:—

> "17. Before a public servant, whatever be his status, is publicly charged with acts of dishonesty which amount to serious misdemeanour or misconduct of the type alleged in this case and a first information is lodged against him, there 'must' be some suitable preliminary inquiry into the allegations by a responsible officer. The lodging of such a report against a person, specially one who like the appellant occupied the top position in a department, even if baseless, would do incalculable harm not only to the officer in particular but to the department he belonged to, in general..."
>
> (emphasis supplied)

17. However, the authoritative pronouncement of law in respect of registration of the FIR emerges from the decision of the Constitution Bench in *Lalita Kumari* (supra) wherein, the issue before the Court was whether a police officer is obligated to register an FIR upon receiving

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information regarding the commission of a cognizable offence under Section 154 of the CrPC (corresponding Section 173 of the Bharatiya Nagarik Suraksha Sanhita, 2023[17]) or whether it is essential to conduct a preliminary inquiry to verify the information before registration of the FIR. This Court held that under Section 154 of the CrPC, a police officer is required to register an FIR when the information received by him discloses the commission of a cognizable offence, without undertaking a preliminary inquiry. However, the Court was also cognizant of the possible misuse of the criminal law resulting in the registration of frivolous FIRs. To address this concern, it outlined specific 'exceptions' to the general rule, which mandates the immediate registration of FIR upon receiving information about a cognizable offence. The Constitution Bench in *Lalita Kumari* (supra) held:

> "119. Therefore, in view of various counterclaims regarding registration or non-registration, what is necessary is only that the information given to the police must disclose the commission of a cognizable offence. In such a situation, registration of an FIR is mandatory. However, if no cognizable offence is made out in the information given, then the FIR need not be registered immediately and perhaps the police can conduct a sort of preliminary verification or inquiry for the limited purpose of ascertaining as to whether a cognizable offence has been committed. But, if the information given clearly mentions the commission of a cognizable offence, there is no other option but to register an FIR forthwith. Other considerations are not relevant at the stage of registration of FIR, such as, whether the information is falsely given, whether the information is genuine, whether the information is credible, etc. These are the issues that have to be verified during the investigation of the FIR. At the stage of registration of FIR, what is to be seen is merely whether the information given ex facie discloses the commission of a cognizable offence. If, after investigation, the information given is found to be false, there is always an option to prosecute the complainant for filing a false FIR."
>
> (emphasis supplied)

18. The following guidelines were laid down by the Constitution Bench governing the issues:—

> "120. In view of the aforesaid discussion, we hold:
>
> 120.1. The registration of FIR is mandatory under Section 154 of the Code, if the information discloses commission of a cognizable offence and no preliminary inquiry is permissible in such a situation.
>
> 120.2. If the information received does not disclose a cognizable

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offence but indicates the necessity for an inquiry, a preliminary inquiry may be conducted only to ascertain whether cognizable offence is disclosed or not.

120.3. If the inquiry discloses the commission of a cognizable offence, the FIR must be registered. In cases where preliminary inquiry ends in closing the complaint, a copy of the entry of such closure must be supplied to the first informant forthwith and not later than one week. It must disclose reasons in brief for closing the complaint and not proceeding further.

120.4. The police officer cannot avoid his duty of registering offence if cognizable offence is disclosed. Action must be taken against erring officers who do not register the FIR if information received by him discloses a cognizable offence.

120.5. The scope of preliminary inquiry is not to verify the veracity or otherwise of the information received but only to ascertain whether the information reveals any cognizable offence.

120.6. As to what type and in which cases preliminary inquiry is to be conducted will depend on the facts and circumstances of each case. The category of cases in which preliminary inquiry may be made are as under:

(*a*) Matrimonial disputes/family disputes

(*b*) Commercial offences

(*c*) Medical negligence cases

(*d*) Corruption cases

(*e*) Cases where there is abnormal delay/laches in initiating criminal prosecution, for example, over 3 months' delay in reporting the matter without satisfactorily explaining the reasons for delay.

The aforesaid are only illustrations and not exhaustive of all conditions which may warrant preliminary inquiry."

(emphasis supplied)

19. It was held that a preliminary inquiry is not mandatory if the information received by the police officer/Investigating Agency discloses the commission of a cognizable offence. However, if the preliminary inquiry is conducted, its scope is limited to determine whether the information *prima facie* reveals commission of a cognizable offence and does not extend to verifying its truthfulness. The necessity of a preliminary inquiry depends on the specific facts and circumstances of each case. For instance, corruption cases fall into a category where a preliminary inquiry '*may be made*'.

20. The use of the term '*may be made*' as noted in *Lalita Kumari*

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(supra) underscores that conducting such an inquiry is discretionary in nature and not a mandatory obligation.

21. Following the rationale of *Lalita Kumari* (supra), this Court in *Managipet* (supra) held that while the decision in *Lalita Kumari* (supra) noted that a preliminary inquiry was desirable in cases of alleged corruption, this does not vest a right in the accused to demand a preliminary inquiry. Whether the preliminary inquiry is required to be conducted or not will depend on the peculiar facts and circumstances of each case, and it cannot be said to be a mandatory requirement, in the absence of which, an FIR cannot be registered against the accused in corruption-related matters.

22. The relevant paragraphs from *Managipet* (supra) are extracted herein below:—

> "33. In the present case, the FIR itself shows that the information collected is in respect of disproportionate assets of the accused officer. The purpose of a preliminary inquiry is to screen wholly frivolous and motivated complaints, in furtherance of acting fairly and objectively. Herein, relevant information was available with the informant in respect of prima facie allegations disclosing a cognizable offence. Therefore, once the officer recording the FIR is satisfied with such disclosure, he can proceed against the accused even without conducting any inquiry or by any other manner on the basis of the credible information received by him. It cannot be said that the FIR is liable to be quashed for the reason that the preliminary inquiry was not conducted. The same can only be done if upon a reading of the entirety of an FIR, no offence is disclosed. Reference in this regard, is made to a judgment of this Court in *State of Haryana* v. *Bhajan Lal* [*State of Haryana* v. *Bhajan Lal*, 1992 Supp (1) SCC 335 : 1992 SCC (Cri) 426] wherein, this Court held inter alia that where the allegations made in the FIR or the complaint, even if they are taken at their face value and accepted in their entirety, do not prima facie constitute any offence or make out a case against the accused and also where a criminal proceeding is manifestly attended with mala fides and/or where the proceeding is maliciously instituted with an ulterior motive for wreaking vengeance on the accused and with a view to spite him due to private and personal grudge.
>
> 34. Therefore, we hold that the preliminary inquiry warranted in *Lalita Kumari* [*Lalita Kumari* v. *State of U.P.*, (2014) 2 SCC 1 : (2014) 1 SCC (Cri) 524] is not required to be mandatorily conducted in all corruption cases. It has been reiterated by this Court in multiple instances that the type of preliminary inquiry to be conducted will depend on the facts and circumstances of each case. There are no fixed parameters on which such inquiry can be

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said to be conducted. Therefore, any formal and informal collection of information disclosing a cognizable offence to the satisfaction of the person recording the FIR is sufficient."

(emphasis supplied)

23. A three-judge bench of this Court in *Thommandru Hannah Vijayalakshmi* (supra) extensively discussed the judicial precedents and legal principles governing the requirement of conducting a preliminary inquiry before registration of an FIR. The Court affirmed the view taken by the two-judge Bench in *Managipet* (supra), holding that a preliminary inquiry may not be necessary if the officer recording the FIR possesses relevant information which discloses the commission of a cognizable offence. The relevant extracts from *Thommandru Hannah Vijayalakshmi* (supra) are reproduced herein below:—

"32. [..]... we hold that since the institution of a Preliminary inquiry in cases of corruption is not made mandatory before the registration of an FIR under the CrPC, PC Act or even the CBI Manual, for this Court to issue a direction to that affect will be tantamount to stepping into the legislative domain.

39. The precedents of this Court and the provisions of the CBI Manual make it abundantly clear that a preliminary inquiry is not mandatory in all cases which involve allegations of corruption. The decision of the Constitution Bench in *Lalita Kumari* [*Lalita Kumari* v. *State of U.P.*, (2014) 2 SCC 1 : (2014) 1 SCC (Cri) 524] holds that if the information received discloses the commission of a cognizable offence at the outset, no preliminary inquiry would be required. It also clarified that the scope of a preliminary inquiry is not to check the veracity of the information received, but only to scrutinise whether it discloses the commission of a cognizable offence. Similarly, Para 9.1 of the CBI Manual notes that a preliminary inquiry is required *only* if the information (whether verified or unverified) does not disclose the commission of a cognizable offence. Even when a preliminary inquiry is initiated, it has to stop as soon as the officer ascertains that enough material has been collected which discloses the commission of a cognizable offence. A similar conclusion has been reached by a two-Judge Bench in Managipet [State of Telangana *v.* Managipet, (2019) 19 SCC 87 : (2020) 3 SCC (Cri) 702] as well. Hence, the proposition that a preliminary inquiry is mandatory is plainly contrary to law, for it is not only contrary to the decision of the Constitution Bench in *Lalita Kumari [Lalita Kumari* v. *State of U.P.*, (2014) 2 SCC 1 : (2014) 1 SCC (Cri) 524] but would also tear apart the framework created by the CBI Manual."

(emphasis supplied)

24. Applying these principles to the case at hand, it is perspicuous

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that conducting a preliminary inquiry is not *sine qua non* for registering a case against a public servant who is accused of corruption. While preliminary inquiry is desirable in certain categories of cases including those under the PC Act, it is neither a vested right of the accused, nor a mandatory pre-requisite for registration of a criminal case. The purpose of a preliminary inquiry is not to verify the veracity of the information received, but merely to ascertain whether the said information reveals the commission of a cognizable offence. The scope of such inquiry is naturally narrow and limited to prevent unnecessary harassment while simultaneously ensuring that genuine allegations of a cognizable offence are not stifled arbitrarily. Thus, the determination, whether a preliminary inquiry is necessary or not will vary according to the facts and circumstances of each case.

25. In the present case, the Police Inspector of the Karnataka Lokayukta submitted a comprehensive source information report dated 10th November, 2023 to the Superintendent of Police, which included meticulous documentation and evaluation of the assets acquired by the respondent, which were grossly disproportionate to his known sources of income. The respondent, during his tenure of service in various departmental units, had acquired assets worth Rs. 3,81,40,246/-, which were disproportionate and almost 90.72% more than his known sources of income. Thereupon, the Superintendent of Police took cognizance of the source information report and concluded that the allegations made against the respondent did constitute *prima facie* offences punishable under Section 13(1)(b) and Section 12 read with Section 13(2) of the PC Act.

26. It is clearly discernible that the source information report dated 10th November, 2023, was in the nature of a preliminary inquiry in itself and nothing else. The comprehensive nature of the said report took it beyond a simple complaint, as it provided a meticulous breakdown of the respondent's monetary acquisitions. Further, the report makes cross-referencing of official income records with actual property acquisitions, bank deposits, and other financial assets. In substance, the source information report *prime facie* reflects a systematic pattern of financial irregularities, wherein the discrepancy in acquisition of assets was found to be 90.72% more than the known sources of income of the respondent.

27. Thus, in our view the source information report dated 10th November, 2023, served as a critical piece of information which not only documented the financial discrepancies but also presented a clear, *prima facie* picture of disproportionate assets accumulated by the respondent but also demanded immediate and thorough investigative action. As we have noted above, the scope of preliminary inquiries is

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not to verify the absolute truthfulness of information, and it is only to ascertain whether a cognizable offence is disclosed or not therefrom. The source information report in the case at hand clearly satisfies this criterion by comprehensively documenting the financial irregularities committed by the respondent and disclosed a *prima facie* case of commission of a cognizable offence involving acquisition of disproportionate assets, punishable under the PC Act. Thus, we are of the opinion that the High Court erred in concluding that the FIR was liable to be quashed on account of omission to conduct a preliminary inquiry.

Issue B : Whether the order dated 4th November 2023, passed by the Superintendent of Police under Section 17 of the PC Act, is sustainable in the eyes of the law?

28. It is the case of the appellant-State that since the preliminary inquiry is not mandatory, the Superintendent of Police, who took cognizance of the source information report, has rightly exercised his powers to issue an order directing the Deputy Superintendent of Police to register an FIR against the respondent and to commence the investigation.

29. Learned senior counsel for the respondent urged that the Superintendent of Police, grossly erred in issuing the order dated 14th December 2023 under Section 17 of the PC Act merely on the basis of the source information report dated 10th November 2023. *Vide* this order, he directed the Deputy Superintendent of Police to register a case against the respondent for offences punishable under Section 13 (1)(b) and Section 12 read with Section 13(2) of the PC Act and to investigate the case. It was contended that the Superintendent of Police failed to apply his mind while appointing the investigating officer under Section 17 of the PC Act, as in the absence of a formally registered FIR, the permission of the Superintendent of Police could not have been sought as required under second *proviso* to Section 17 of the PC Act.

30. For the purpose of deciding this issue, it is essential to make a reference to Section 17 of the PC Act.

> "Section 17 : Persons authorised to investigate.—
>
> Notwithstanding anything contained in the Criminal Procedure Code, 1973 (2 of 1974), no police officer below the rank,—
>
> (a) in the case of the Delhi Special Police Establishment, of an Inspector of Police;
>
> (b) in the metropolitan areas of Bombay, Calcutta, Madras and Ahmedabad and in any other metropolitan area notified as such under sub-section (1) of section 8 of the Criminal Procedure Code, 1973 (2 of 1974), of an Assistant Commissioner of

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Police;

(c) elsewhere, of a Deputy Superintendent of Police or a police officer of equivalent rank, shall investigate any offence punishable under this Act without the order of a Metropolitan Magistrate or a Magistrate of the first class, as the case may be, or make any arrest therefor without a warrant:

Provided that if a police officer not below the rank of an Inspector of Police is authorised by the State Government in this behalf by general or special order, he may also investigate any such offence without the order of a Metropolitan Magistrate or a Magistrate of the first class, as the case may be, or make arrest therefor without a warrant:

Provided further that an offence referred to in clause (b) of sub-section (1) of section 13 shall not be investigated without the order of a police officer not below the rank of a Superintendent of Police."

(emphasis supplied)

31. Section 17 of the PC Act prescribes that no police officer below the rank of an Inspector in the case of the Delhi Special Police Establishment, an Assistant Commissioner of Police in the metropolitan areas of Bombay, Calcutta, Madras and Ahmedabad and any other metropolitan area notified as such, and in any other case, the Deputy Superintendent of Police or a police officer of equivalent rank shall investigate an offence punishable under the Act without prior order of the Metropolitan Magistrate or a Magistrate of the 1st Class, as the case may be, or make any arrest without a warrant. According to the first *proviso* to Section 17, if a police officer not below the rank of an Inspector of Police as is authorised in this behalf by a general or special order issued by the Government, he can also investigate such offences without the order of the Metropolitan Magistrate or a Magistrate of the 1st Class, as the case may be, or make arrest thereunder without a warrant. Further, the second *proviso* provides that where an offence referred to in clause (e) of sub-section (1) of Section 13 is sought to be investigated, such an investigation shall not be conducted without obtaining the order of a police officer not below the rank of a Superintendent of Police.

32. In the impugned judgment, the High Court has placed reliance on the decision of a Coordinate Bench in the case *Balakrishna H.N.* v. *State of Karnataka*[18] and concluded that the failure to conduct a preliminary inquiry before registering the FIR, and the issuance of the order by the Superintendent of Police under second *proviso* to Section 17 of the PC Act, tantamounted to a clear violation of the legal

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mandate. The High Court in the case *Balakrishna* (supra) held that:—

> "11. The Apex Court considers entire spectrum of law and at sub-para 15.1 of paragraph 23 holds that an inquiry at pre-FIR stage is held to be permissible; not only permissible but desirable, more particularly in cases where the allegations are of misconduct of corrupt practice acquiring assets/properties disproportionate to his known sources of income. This cannot be demanded as a matter or right is what is held, apart from holding that there cannot be a hearing given to the accused prior to drawing up of a source report or registration of a crime. The Apex Court nevertheless holds that the preliminary inquiry is not only desirable but necessary in such cases. At paragraph 33 the Apex Court holds that the superior officer thus has to verify whether the developed source information prima facie would result in the registration of a case; if yes, they then will have to direct verification of such information. Though the entire verification was governed by the CBI manual which the Apex Court had already held that it should be strictly and scrupulously followed, the Apex Court holds that preliminary inquiry would not be a matter of right or necessary in every case.
>
> 12. If the reasons rendered by Apex Court are noticed, two factors would emerge - one, that the prosecution is required to draw up source report after conducting some sort of a preliminary inquiry to know the assets of the Government servant and two, after the source information report is placed before the Superior Officer - Superintendent of Police, he has to verify as to whether a crime should be registered or otherwise. If these principles that would emerge from the judgment of the Apex Court are considered qua the facts obtaining in the case at hand, the registration of the crime would fall foul of the principles laid down by the Apex Court and that of this Court in the afore-quoted judgment."
>
> (emphasis supplied)

33. Therefore, according to the High Court, the Superintendent of Police is not competent to pass an order under Section 17 of the PC Act until a formally registered FIR came into existence. In other words, registration of the FIR is *sine qua non* for issuance of an order to investigate the case. The High Court framed a four-step procedure : first, the police must verify the facts upon receiving the source information report; second, a preliminary inquiry is to be conducted by the police; third, the FIR is registered; fourth, the FIR, along with the source information report and the preliminary inquiry report, is to be forwarded to the Superintendent of Police. Thus, it was concluded that

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it is only at the 4th stage that the Superintendent of Police becomes competent to issue an order directing investigation under Section 17 of the PC Act.

34. From the discussion and conclusions drawn by us on the first issue, it is clear that conducting a preliminary inquiry is not an absolute mandate of law in cases concerning offences under the PC Act. Hence, the four-step procedure formulated by the High Court to quash the FIR against the respondent is not compliant with any prescription in law and is also contrary to the law laid down by this Court. What invites our consideration, therefore, is whether the Superintendent of Police is competent to pass a composite order for registration of an FIR as well as directing investigation under Section 17 of the PC Act, authorising the Deputy Superintendent of Police to conduct investigation.

35. It is an established principle that the special law overrides the general law. However, when a general law and a special law address the same subject matter, the rule of harmonious construction is to be applied.

36. In *State of M.P.* v. *Ram Singh*[19], this Court discussed the legislative intent of the PC Act and held:—

> "10. The Act was intended to make effective provisions for the prevention of bribery and corruption rampant amongst the public servants. It is a social legislation intended to curb illegal activities of the public servants and is designed to be liberally construed so as to advance its object."

37. Chapter 3 of the PC Act deals with provisions concerning offences, and the following chapter, i.e., Chapter 4 of the Act articulates procedural aspects with regard to the investigation of the offences set out in Chapter 3. With respect to other procedural aspects *inter alia* registration of the FIR, the PC Act relies on the CrPC. Since the PC Act only outlines the procedure for investigation of offences, therefore, as a necessary corollary, Sections 154 (corresponding Section 173 of the BNSS) will be applicable for the registration of FIR in relation to offences punishable under the PC Act.

38. The initiation of criminal proceedings requires information that details the commission of an offence, whether cognizable or not. It is trite that if the information reveals the commission of a cognizable offence, the police officials are duty-bound to register an FIR, except in cases where individual reputation and relations are at stake, wherein it is advisable to conduct a preliminary inquiry. In this regard, reference may be made to Paras 120.3 and 120.4. of *Lalita Kumari* (supra)[20].

39. In the case of *Kailash Vijayvargiya* v. *Rajlakshmi Chaudhuri*[21], this Court held as follows:—

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> "29. Drawing on several earlier judgments and the language of Section 154 of the Code, it was held that the Police is bound to proceed to conduct investigation, even without receiving information about commission of a cognizable offence if the officer in-charge otherwise suspects the commission of such an offence. The legislative intent is to ensure that no information of commission of a cognizable offence is ignored and not acted upon, which would otherwise result in unjustified protection of the alleged offender/accused. Every cognizable offence must be promptly investigated in accordance with the law. This being the legal position, there is no reason that there should be any discretion or option left with the Police to register or not to register an FIR when information is given about commission of a cognizable offence. This interpretation in a way keeps a check on the power of the Police, which is required to protect the liberty of individuals and society rights inherent in a democracy. It is the first step which provides access for justice to a victim and upholds the rule of law, facilitates swift investigation and sometimes even prevents commission of crime and checks manipulation in criminal cases."
>
> (emphasis supplied)

40. In the present case, the Superintendent of Police, after forming an opinion that the source information report dated 10th November, 2023 *prima facie* disclosed the necessary ingredients of the offences punishable under the PC Act, directed the Deputy Superintendent of Police to register an FIR against the respondent and subsequently in the same order, authorised him to investigate the case. We find nothing wrong in this composite order which could justify the quashing thereof. However, the High Court, taking exception to the aforesaid order, found that the Superintendent of Police had acted *de hors* the legal mandate and went on to quash the FIR on the rationale that the act of issuing the order under Section 17 of the PC Act while simultaneously directing the registration of the FIR violated the principles laid down in *Bhajan Lal* (supra).

41. We are of the opinion that the High Court gravely erred while imposing unwarranted fetters on the investigation agency in corruption cases by carving out a framework of administrative hurdles which may have the potential of incapacitating law enforcement agencies. By mandating elaborate pre-investigation procedures and creating unwarranted procedural check dams, the High Court's approach has the potential to render the effectiveness of law enforcement nugatory. These additional procedural requirements which virtually tantamount to framing a policy could not only disrupt the smooth functioning of investigation agencies, but also risk shielding corrupt public servants

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from proper scrutiny, which would be in contravention of the objective of the PC Act.

42. The legislative intent behind the PC Act is to provide a robust mechanism for investigating corruption-related offences, and to avoid the creation of meandering procedural hurdles that shield corrupt officials. While interpreting such procedural laws, it must be borne in mind that the interpretation should facilitate and not frustrate the investigation of potential criminal activities, particularly in cases involving serious allegations of corruption. The correct approach in such cases is to bolster the system created to ensure accountability and prevent arbitrary investigations, and not as a means to create insurmountable procedural barriers at the very inception. The purpose of fair investigation is to ensure that the accused is afforded all the rights guaranteed to him under the law. As a corollary, an investigation which should be expected to be fair, must focus on collecting evidence that leads to the right conclusion and nothing else. A fair investigation cannot be interpreted to cater to the accused only, rather it must be such that the entire investigation process has a backing of the law, and the due procedure established therein. Thus, the ambit of fair investigation tethers the procedural safeguards in order to remain immune from arbitrary actions of individual investigators.

43. The critical issue which requires clarity is what would be the appropriate procedural mechanism when a detailed source information report reaches the Superintendent of Police. The Superintendent of Police is entrusted with the administrative authority to direct his subordinates to register an FIR upon receiving a factual report which *prima facie* discloses the commission of offences punishable under the PC Act. The Superintendent of Police is conferred with the responsibility of evaluating source information report(s) and to determine whether the same *prima facie* warrants further investigation. This administrative command is not contingent upon a pre-existing, formally registered FIR or an exhaustive preliminary inquiry report, as we have held while answering Issue A.

44. Under Section 36[22] of CrPC (corresponding Section 30 of the BNSS), police officers superior in rank to the officer in charge of a police station are vested with the same powers that the officer in charge may exercise within their station. Section 154 of CrPC (corresponding Section 173 of the BNSS) empowers the officer in charge to reduce every piece of information, disclosing a cognizable offence, into writing either personally or under his direction. A conjoint reading of Section 36 with Section 154 would make it clear that if the officer in charge of a police station can direct the registration of an FIR under Section 154, as a natural corollary by virtue of Section 36 CrPC, superior officers, which in the case at hand is the Superintendent of Police, are equally

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competent to issue such directions for registration of the FIR.

45. As a consequence of the above discussion, we are convinced that the High Court erred in holding that the Superintendent of Police must first direct the registration of an FIR and only after it is registered, he would be competent to issue an order for investigation under Section 17 of the PC Act. This interpretation could be permissible only if the subordinates of the Superintendent of Police had a discretion to either comply with or disregard the latter's directive to register the FIR. Under the scheme of the CrPC, the automatic consequence of registration of an FIR is commencement of investigation. The only deviation which Section 17 of the PC Act creates is that the Superintendent of Police must authorize a competent subordinate officer to commence investigation. Since the subordinate police officers are obligated to comply with the orders of the Superintendent of Police, it cannot be argued that he lacked the authority to issue directions under Section 17 of the PC Act simultaneously with the direction to register the FIR. The former interpretation is against the true intent of the PC Act and is liable to be discarded.

Hence, the composite order dated 4th December 2023 issued by the Superintendent of Police under Section 17 of the PC Act, directing the registration of the FIR and authorizing investigation by the Deputy Superintendent of Police is valid and compliant with law.

46. Furthermore, it is the case of the respondent that the Superintendent of Police passed the order mechanically in typed *proforma* and did not provide clear, comprehensive evidence of examining the source information report, which suggests a perfunctory approach that improperly set the criminal law into motion. The High Court in the impugned judgment also made a reference to *Bhajan Lal* (supra) to conclude that the Superintendent of Police did not properly apply his mind to the source information report and the statutory requirements before directing the registration of FIR.

47. In the case of *Bhajan Lal* (supra), this Court adjudicated an issue wherein the Superintendent of Police had issued the order in a mechanical and very casual manner. The Superintendent of Police, while authorising the Station House Officer to investigate a case, had only made an endorsement to the effect '*Please register the case and investigate*'. The Court, while quashing the investigation as well as the entire proceedings, held that the Station House Officer is not clothed with the valid legal authority to take up the investigation and proceed with the same within the meaning of Section 5-A(1) of the PC Act. The relevant paragraphs from *Bhajan Lal* (supra) are extracted below:—

> "129. In the present case, there is absolutely no reason, given by the SP in directing the SHO to investigate and as

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such the order of the SP is directly in violation of the dictum laid down by this Court in several decisions which we have referred to above. Resultantly, we hold that appellant 3, SHO is not clothed with the requisite legal authority within the meaning of the second proviso of Section 5-A(1) of the Act to investigate the offence under clause (*e*) of Section 5(1) of the Act.

[..]

[..]

131. From the above discussion, we hold that (1) as the salutary legal requirement of disclosing the reasons for according the permission is not complied with; (2) as the prosecution is not satisfactorily explaining the circumstances which impelled the SP to pass the order directing the SHO to investigate the case; (3) as the said direction manifestly seems to have been granted mechanically and in a very casual manner, regardless of the principles of law enunciated by this Court, probably due to blissful ignorance of the legal mandate and (4) as, above all, the SHO has got neither any order from the Magistrate to investigate the offences under Sections 161 and 165 IPC nor any order from the SP for investigation of the offence under Section 5(1)(e) of the Prevention of Corruption Act in the manner known to law, we have no other option, save to quash that order of direction, reading "investigate" which direction suffers from legal infirmity and also the investigation, if any, so far carried out. Nevertheless, our order of quashing the direction of the SP and the investigation thereupon will not in any way deter appellant 1, the State of Haryana to pursue the matter and direct an investigation afresh in pursuance of the FIR, the quashing of which we have set aside, if the State so desires, through a competent police officer, clothed with the legal authority in strict compliance with Section 5-A (1) of the Act.

(emphasis supplied)

48. The apparent distinction in *Bhajan Lal* (supra) and the case at hand, is that the Superintendent of Police in the instant case has demonstrably applied his mind and passed a well-reasoned and a speaking order directing registration of the FIR and authorised the Deputy Superintendent of Police to begin with the investigation. The Superintendent of Police received the report on 10th November, 2023, and issued the subject order on 4th December, 2023, i.e. after a gap of 24 days. The said order not only provided details of the respondent, but it also makes a reference to the quantification of the disproportionate assets, nature of the offence along with the provisions concerned. In addition, it also referred to the provisions that empowered the Superintendent of Police to authorise his junior officer to investigate the

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case. The Superintendent of Police assigned a palpable reason as to why the particular Deputy Superintendent of Police was directed to investigate the case. Reference in this regard may be made to the judgment in *Ram Singh* (supra), wherein this Court held as follows:—

> "15. We are not satisfied with the finding of the High Court that merely because the order of the Superintendent of Police was in typed pro forma, that showed the non-application of mind or could be held to have been passed in a mechanical and casual manner. As noticed earlier the order clearly indicates the name of the accused, the number of the FIR, the nature of the offence and power of the Superintendent of Police permitting him to authorise a junior officer to investigate. The time between the registration of the FIR and authorisation in terms of the second proviso to Section 17 shows further the application of mind and the circumstances which weighed with the Superintendent of Police to direct authorisation to order the investigation.
>
> (emphasis supplied)

49. Moreover, this Court in the case of *Superintendent of Police, Karnataka Lokayukta* v. *B. Srinivas*[23], adjudicated on a similar factual scenario wherein the Superintendent of Police issued a verbatim, similar order as in the present case. The Court opined that the order passed by the Superintendent of Police is elaborate and the reasons are clearly discernible therefrom.

50. Therefore, in view of the discussion made hereinabove, we are of the opinion that the order dated 4th December, 2023, issued by the Superintendent of Police under Section 17 of the PC Act, is fully compliant with the law. The High Court erred in imposing unwarranted administrative frameworks that could potentially incapacitate the law enforcement agencies. Thus, the Superintendent of Police's authority to issue a composite order directing registration of the FIR and authorizing the officer to conduct an investigation is valid in the eyes of law. The said order was issued without undue haste and with due application of mind. The reasons assigned in the order dated 4th December, 2023 for entrusting the investigation to the Deputy Superintendent of Police are manifest and obvious.

Conclusion

51. In view of the above discussion, we conclude that:—

a. The High Court erred in coming to the conclusion that the order dated 4th December, 2023, passed by the Superintendent of Police, was directly passed under Section 17 of the PC Act, thereby violating the mandatory provisions of the PC Act.

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b. The preliminary inquiry is not mandatory in every case under the PC Act. If a superior officer is in seisin of a source information report which is both detailed and well-reasoned and such that any reasonable person would be of the view that it *prima facie* discloses the commission of a cognizable offence, the preliminary inquiry may be avoided.

c. Section 17 of the PC Act relates specifically to the investigation process, and not the initial act of registering the FIR, for which it relies on the provisions of the CrPC. Hence, it places limitations on only the investigation; it does not impede the fundamental duty of the law enforcement agency to record and register an FIR for cognizable offences.

d. On a harmonious reading of the provisions of the PC Act and the CrPC, it is manifest that the Superintendent of Police is competent to direct the registration of an FIR if he has information about the commission of a cognizable offence, punishable under the PC Act. The former is also competent to simultaneously direct the Deputy Superintendent of Police to register an FIR for the offences under the PC Act, with the understanding that the subsequent investigation will be subject to the restrictions outlined in Section 17 of the PC Act. A composite order to register the FIR and conduct investigation aligns with the statutory framework of the CrPC and the PC Act.

52. For the above reasons, we quash and set aside the judgment and order dated 4th March, 2024 passed by the High Court of Karnataka in Criminal Writ Petition No. 13460 of 2023 and restore the FIR in Crime No. 56 of 2003, pending before the 23rd Additional City Civil and Sessions Judge, Bangalore City.

53. The appeal is allowed accordingly.

54. Pending application(s), if any, shall stand disposed of.

———

[1] Hereinafter referred to as 'High Court'.

[2] Hereinafter referred to as 'the respondent.'

[3] Hereinafter referred to as 'CrPC'.

[4] Hereinafter referred to as the 'PC Act.'

[5] Hereinafter referred to as the 'KPTCL.'

[6] Hereinafter referred to as the 'Superintendent of Police'.

[7] Hereinafter referred to as 'Deputy Superintendent of Police.'

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[8] FIR in Crime No. 56 of 2003.

[9] Criminal Petition No. 13460 of 2023.

[10] (2021) 18 SCC 135.

[11] (2022) 4 SCC 764.

[12] (2019) 19 SCC 87.

[13] 1992 Supp (1) SCC 335.

[14] (1970) 1 SCC 595.

[15] (2014) 2 SCC 1.

[16] (2021) 5 SCC 469.

[17] For short 'BNSS'.

[18] Writ Petition (Criminal) No. 15886 of 2022 (GM-RES).

[19] (2000) 5 SCC 88.

[20] Refer to Para 18 of this judgment.

[21] (2023) 14 SCC 1.

[22] 36. Powers of superior officers of police.—Police officers superior in rank to an officer in charge of a police station may exercise the same powers, throughout the local area to which they are appointed, as may be exercised by such officer within the limits of his station.

[23] (2008) 8 SCC 580.

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NCT OF DELHI COURT FEE
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03-DEC-2024

IN THE COURT OF .....

Suit/Appeal No. Chief Judicial Magistrate JURISDICTION OF 201

In re:-

Ashu Pathak .....Plaintiff(s) or Petitioner(s)

Appellant(s) Complainant(s)

VERSUS

Anam & Ors .....Defendant (s)/ Respondent(s) / Accused Know all to whom these Present shall come that I/we .....

The above named A. Pathak & Associate - Ashu Pathak .....

.....do hereby appoint

Ashu Pathak, Shantanu Misha

(herein after called the advocate/s) to be my / our Advocate in the above – noted case authorize him:-

To act, appear and plead in the above-noted case in this court or in any other court in which the same may be tried or heard and also in the appellate court including High Court subject to payment of fees separately for each court by me/us.

To sign file, verify and present pleadings, appeals cross-objection or petitions for executions review, revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subjects to payment of fees for each stage.

To file and take back documents, to admit and/or deny the documents of opposite party.

To withdraw or compromise the said case or submit to arbitration any differences of disputes that may arise touching or in any manner relating to the said case.

To take execution proceedings on paying separate fee.

To deposit, draw and receive money, cheques, cash and grant receipts hereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution on the said case.

To appoint and instruct any other Legal Practitioner authorizing him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf.

And I/we undersigned to hereby agree to ratify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and purpose.

And I/we undertake that I/We or my/our duly authorized agent would appear in court on all hearings and will inform the Advocate for appearance when the case is called.

And I/We undersigned do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. The adjournment costs whenever ordered by the court shall be of the Advocate which he shall receive and retain for himself.

And I/we undersigned do hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settle is only for the above case and above Court. I/We hereby agree that once the fee is paid, I /We will not be entitled for the refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us.

IN WITNESS WHERE OF I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this .....Day of.....201 Accepted subject to the terms of the fees.

Advocate

Client

Client

I Identify the Signature/Thumb Impression of Below Mentioned Person,

Signed in My Presence. The Client.